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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BOBBY SINGLETON, et al,

Plaintiff,

vs.

WES ALLEN, in his official
Capacity as Alabama Secretary of
State, et al.,

Defendant.

EVAN MILLIGAN, et al,

Plaintiff,

vs.

WES ALLEN, in his official
Capacity as Alabama Secretary of
State, et al.,

Defendant.

MARCUS CASTER, et al,

Plaintiff,

vs.

WES ALLEN, in his official
Capacity as Alabama Secretary of
State, et al.,

Defendant.

Case No.

2:21-cv-1291-AMM

THREE-JUDGE COURT

Case No.

2:21-cv-01530-AMM

THREE-JUDGE COURT

Case No.

2:21-cv-01536-AMM

THREE-JUDGE COURT

DEPOSITION OF: KARI FREDERICKSON, PhD.

S T I P U L A T I O N

IT IS STIPULATED AND AGREED by and between the parties through their respective counsel that the deposition of KARI FREDERICKSON may be taken on August 29, 2024, before Anne E. Miller, Commissioner and Notary Public, at Whatley, Kallas, 1000 Park Place Tower, 2001 Park Place North, Birmingham, Alabama.

IT IS FURTHER STIPULATED AND AGREED that the signature to and the reading of the deposition by the witness is waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of court relating to the taking of depositions.

IT IS FURTHER STIPULATED AND AGREED that it shall not be necessary for any objections to be made by counsel to any questions except as to form or leading questions, and that counsel for the parties may make objections and assign grounds at the time of trial or at the time said deposition is offered in evidence or prior thereto.

A P P E A R A N C E S

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Mr. Myron Penn
Ms. Riley Kate Lancaster
Ms. Jyoti Jasrasaria

Court Reporter: Anne E. Miller

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20
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22
23

1 I, Anne E. Miller, a Court Reporter of the State
2 of Alabama, acting as Commissioner, certify that on
3 this date there came before me at Whatley, Kallas, 1000
4 Park Place Tower, 2001 Park Place North at Birmingham,
5 Alabama, on August 29, 2024, beginning at or about
6 10:00 a.m., KARI FREDERICKSON, PhD, witness in the
7 above cause, for oral examination, whereupon the
8 following proceedings were had:

9
10 KARI FREDERICKSON, PhD,
11 having been first duly sworn, was examined and
12 testified as follows:

13
14 EXAMINATION BY MR. GEIGER:

15 Q. Good morning.

16 A. Morning.

17 Q. My name is Soren Geiger, and I work for the
18 attorney general. I represent Secretary of State Wes
19 Allen in this lawsuit. Would you please state and
20 spell your last name?

21 A. My name is Kari Frederickson, K-a-r-i, last name
22 is F-r-e-d-e-r-i-c-k-s-o-n.

23 Q. Thanks. Have you been deposed before?

1 A. No.

2 Q. So just a couple of basic ground rules. I won't
3 belabor the point. But in order to get a clean
4 transcript, let's do our best not to talk over each
5 other and to talk at kind of a normal tempo. Also,
6 please let me know if you need me to repeat or rephrase
7 a question. I'm never going to try to trick you or
8 intentionally ask a confusing question.

9 Finally, if you need a five-minute break,
10 please just let me know. We will take several of them,
11 I'm sure, and we'll take lunch as well. Any questions
12 before we begin?

13 A. No.

14 Q. Do you have a master's degree?

15 A. I do.

16 Q. And from what institution?

17 A. University of Wisconsin, Milwaukee.

18 Q. When did you earn that degree?

19 A. I earned that degree in 1991.

20 Q. And did you write a thesis for that degree?

21 A. I did.

22 Q. And what was that focused on?

23 A. That was focused on the ideology of the Ku Klux

1 Klan in the 1920's.

2 Q. And did you have a thesis statement or were you
3 trying to argue a point or study that aspect of history
4 in general?

5 A. Gosh, this is going back a long time. I haven't
6 thought about that thesis in 40 years. I believe what
7 I was trying to show is -- one of the things I was
8 trying to show was some of the gender perspectives of
9 the ideology of the Klan and that the Klan's ideology
10 was rather expansive.

11 Q. Did you say gender perspectives?

12 A. Yes, right, that they -- well, that they -- in
13 terms of their white supremacy. I had been influenced
14 by -- there had been a recent book, I think, on women
15 of the Klan by Kathleen Blee. Nancy MacLean had had an
16 article about the Klan and sort of their ideas about
17 women's roles within the larger project of white
18 supremacy and how often women could try to subvert that
19 to their advantage. And so I had started on my
20 project, read their work. You know, I think kind of
21 was influenced by sort of those ideas. But as far as I
22 can recall what I wrote in my thesis, it was looking at
23 their ideas, a little less than their actions, where I

1 had printed materials and the types of things that you
2 look at as a master student with not a lot of time to,
3 you know, travel and do research.

4 Q. Right. What was your master's degree in?

5 A. History.

6 Q. History?

7 A. Uh-huh (yes).

8 Q. And do you have your doctorate?

9 A. I do.

10 Q. Did you write a dissertation?

11 A. I did.

12 Q. And what was that on?

13 A. My dissertation is on The Dixiecrat Revolt,
14 which was an attempt by some white southern Democrats
15 to throw the election of 1948 into the House of
16 Representatives. It was an attempt that was motivated
17 both by Harry Truman's civil rights program and civil
18 rights initiatives and also a response to grass roots
19 activity by African-Americans to secure political
20 rights.

21 Q. Is that dissertation published?

22 A. It is.

23 Q. When did you publish that?

1 A. 2001. I need to look at my own CV. Sorry.
2 Yes, 2001. I published it with the University of North
3 Carolina Press.

4 Q. And when did you complete your doctorate?

5 A. 1996.

6 Q. And from what institution?

7 A. Rutgers University.

8 Q. And why did you choose to write on The Dixiecrat
9 Revolt?

10 A. I went to Rutgers because I went to work with a
11 particular historian named David Oshinsky who had done
12 a biography on Joseph McCarthy. So my initial interest
13 both developed in my master's program under the
14 guidance of Professor Glenn Johnson. And then under
15 David Oshinsky, I was interested in conservatism
16 broadly pursued. Actually it was Glenn who had my
17 master's thesis advisor who had recommended, "You know,
18 nobody has written on the Dixiecrat. Why don't you do
19 that?" And I posted to David Oshinsky, and he actually
20 had moved from writing about Joseph McCarthy to writing
21 a book on Parchman prison in Mississippi. So he had
22 kind of moved into the South. So it was, you know,
23 kind of a nice dovetailing of interests.

1 And also I had been contacted really early
2 by someone at North Carolina Press who heard that I was
3 interested. And so they were -- you know, started kind
4 of cultivating me as a new author fairly early.

5 Q. What is your current occupation?

6 A. My current occupation is I'm a professor of
7 history at the University of Alabama.

8 Q. How long have you been employed at UA?

9 A. I have been at UA since 1999.

10 Q. Are you teaching this semester?

11 A. I am.

12 Q. What classes?

13 A. I'm teaching a class on the History of the
14 American South since 1865. That's an undergraduate
15 class, upper level. And I'm teaching a graduate
16 seminar, basically readings course, on the history of
17 the Jim Crow era, essentially 1876 until end of World
18 War II. And that's a graduate level class.

19 Q. Are you teaching next semester?

20 A. No. I'm on leave.

21 Q. Congratulations.

22 A. Thank you.

23 Q. Have you ever been fired, demoted or asked to

1 resign from a job?

2 A. No. Are you talking about a professional job or
3 any job that I had in my life since I was 16?

4 Q. Let's stick with professional.

5 A. Yeah. No.

6 Q. Have you ever been disciplined by a licensing
7 body?

8 A. No.

9 Q. Have you ever been disciplined by a court or
10 tribunal?

11 A. No.

12 Q. Since you have worked at UA since '99, have you
13 ever been disciplined or suspended by the University?

14 A. No.

15 Q. You have been retained by the Singleton
16 plaintiffs as an expert in their lawsuit against
17 Secretary of State Wes Allen; is that correct?

18 A. Yes.

19 Q. Are you being compensated?

20 A. I am.

21 Q. And what is that rate or how are you being
22 compensated?

23 A. I'm being compensated at \$200 an hour.

1 Q. Do you plan to testify at trial if called?

2 A. Yes.

3 Q. And will your hourly compensation rate be the
4 same to the best of your knowledge?

5 A. Yes.

6 Q. Is your compensation tied in any way to whether
7 the Singleton plaintiffs win, lose or settle this
8 lawsuit?

9 A. No.

10 Q. For purposes of this lawsuit, in what field are
11 you claiming to be an expert?

12 A. I'm an expert in the history of American
13 politics in the 20th century, southern history since
14 the end of the Civil War and Alabama history.

15 Q. What was your assignment in this case?

16 A. My assignment as described to me by
17 Mr. Blacksher is to write a 20-page report, which I'm
18 sorry, I went a little bit over.

19 Q. Close.

20 A. That looks at race and political parties in the
21 South and Alabama, specifically for the 20th century.

22 Q. From 1901 to 2024?

23 A. Essentially.

1 Q. Were you asked to reach a particular conclusion?

2 A. No.

3 Q. Were you given any other direction on the
4 opinions that you were asked to form?

5 A. No.

6 Q. In your own words, what opinions do you express
7 in this case?

8 A. As I note in my summary of opinions, I write
9 that race is a defining issue in southern politics,
10 probably Alabama politics specifically. That for much
11 of the 20th century, the Democratic Party maintained
12 its dominance by presenting itself as the party of
13 white supremacy and by using its power, particularly at
14 the national level but also state level, to oppose,
15 destroy any attempt to -- any attempt to cripple white
16 supremacy, which, you know, as they see these threats.
17 Right?

18 With the slow embrace of the Civil Rights
19 Movement, the Democratic Party begins to move away from
20 those policies, and we begin to see a transition of the
21 Republican Party, which for much of the 20th century
22 was anathema politically in Alabama and much of the
23 white Suth. We begin to see more of an embrace of the

1 Republican party of politics meant to appeal to white
2 voters. They do that explicitly. But as we get
3 further on in the 20th century, more implicitly drawing
4 on -- you know, when you make something explicit, you
5 don't have to keep doing it over and over again.
6 Eventually it becomes embedded in certain ways, in
7 policies and whatnot. In coded language, for example.
8 And that the Republican Party went from really a
9 nonentity in places like Alabama and other places in
10 the South to being a robust presence both in the South
11 and in the country, primarily based on its ability to
12 attract white voters.

13 Q. When did you first hear about this lawsuit?

14 A. I first heard about the Singleton lawsuit when I
15 was contacted by Mr. Blacksher.

16 Q. And when was that? When were you contacted?

17 A. February.

18 Q. Of this year?

19 A. Of 2024.

20 Q. Okay. Have you reviewed any expert reports in
21 this case?

22 A. No.

23 Q. Have you reviewed --

1 A. I mean, beyond Carrington, Dr. Carrington.

2 Right, yes.

3 Q. Beyond his?

4 A. No.

5 Q. When you were preparing your reports, did you
6 have any communications with any other experts in the
7 case?

8 A. No.

9 Q. Did you communicate with anyone else about your
10 reports, like colleagues or students at UA?

11 A. No.

12 Q. Did research assistance help you with preparing
13 your reports?

14 A. No.

15 MR. GEIGER: Let's go ahead and put those
16 into the record. I will mark and publish Exhibits 1, 2
17 and 3 all together.

18 (Defendant's Exhibits 1-3 were marked for
19 identification.)

20 Q. (BY MR. GEIGER) Let's look at Exhibit 1 first.

21 A. Okay.

22 Q. Do you recognize that document?

23 A. I do.

1 MR. BLACKSHER: Could we take a pause?

2 (Recess taken.)

3 Q. (BY MR. GEIGER) Let's go back to these
4 exhibits. Exhibit 1, do you recognize this document?

5 A. Yes.

6 Q. Does it appear to be a copy of your report from
7 May 17th, 2024?

8 A. It does.

9 Q. Let's go to Exhibit 2 real quick. Do you
10 recognize that document?

11 A. I do.

12 Q. Does it appear to be a copy of your supplemental
13 report from July 25th?

14 A. It is. It does.

15 Q. And Exhibit 3, do you recognize that document?

16 A. Yes.

17 Q. Is that Dr. Carrington or a copy of his report
18 from June 27th?

19 A. It appears to be.

20 Q. Do your initial supplemental reports contain a
21 complete statement of the opinions you formed in this
22 case?

23 A. My initial supplemental report?

1 Q. I'm sorry, initial and supplemental.

2 A. Oh, initial and supplemental, yes.

3 Q. On page three of your initial report, you state
4 that you have conducted research at the Alabama
5 archives?

6 A. Yes.

7 Q. Did you visit the archives to research for this
8 report?

9 A. No.

10 Q. When did you conduct that in-person research?

11 A. I conducted that research for my dissertation
12 and first book, and also for my third book on the
13 Bankheads, a political family in Alabama. And on
14 subsequent -- well, I mean, I think those are the
15 research that I did for those is most pertinent to the
16 task that I was asked to perform here.

17 Q. Roughly what years did you visit the archives
18 for this research? During what years?

19 A. Dissertation research and first book would have
20 been between '95 and 2000 because I would have made
21 return trips in preparation, turning my dissertation
22 into a book. And then for Bankhead book, multiple --
23 like I don't even know how many trips. I basically

1 lived there between when I started the book, which
2 would have been about 2012, to when it was published in
3 2022. So, you know, more than ten visits.

4 Q. You also state that you consulted newspapers,
5 books and articles?

6 A. Yes.

7 Q. Are all of those cited in the end notes of your
8 report, or are there others not cited?

9 A. I would say the bulk of them are cited, but it
10 is quite possible that conclusions that I drew in my
11 Bankhead book or in the Dixiecrat book were based on
12 newspapers and articles, right, which would have been
13 consulted earlier. Does that make sense?

14 Q. Yes.

15 A. But there were -- there was primary research
16 into newspapers articles that was done specifically for
17 this task.

18 Q. Right. Okay. And just to clarify one more
19 time, that primary research for this task is cited in
20 your end notes?

21 A. Yes.

22 Q. Did you review any other documents in preparing
23 your initial report?

1 A. What do you mean by documents?

2 Q. Did you conduct any other research, I should
3 say, beyond drawing from what you had done at the
4 archives and beyond the newspapers, books and articles?

5 A. I conducted research in what historians call
6 secondary sources, which are books and articles
7 published by other scholars.

8 Q. Would you include that under what we already
9 discussed as consulting books, articles and documents?

10 A. Yes.

11 Q. Okay. Did counsel provide you with any
12 documents for your consideration for your report?

13 A. No.

14 Q. Did counsel provide you with any facts to
15 consider or to rely upon?

16 A. No.

17 Q. Did anyone else provide you anything as you
18 prepared your report?

19 A. No.

20 Q. Roughly how many hours did you spend preparing
21 your initial report?

22 A. Roughly 60.

23 Q. Would you consider it an original work?

1 A. I don't think when you are drawing on the work
2 of other scholars to -- in my world that would not be
3 considered original unless I am coming up with new
4 conclusions. I think there are certain parts of the
5 report that are based on my primary research of looking
6 at primary documents in which I have drawn conclusions.
7 So part of it, I think, is original to me and related
8 to early work that I have published. In other parts, I
9 have relied upon the findings of scholars that -- you
10 know, who I find their work credible and valuable. So
11 I guess if you are asking could I get this published in
12 a history journal, no.

13 Q. Understood. So did you come up with any new
14 conclusions of your own, unique to you in this report?

15 A. Unique to me and not represented by the history
16 profession at large?

17 Q. Not necessarily disagreed with by the history
18 profession at large, but just not yet articulated?

19 A. I don't think so.

20 Q. You mentioned some of the -- drawing upon some
21 of your own conclusions from earlier work you had done.
22 Did you ever copy from portions of those books and
23 articles into this report?

1 A. You mean from my own books and articles?

2 Probably.

3 Q. Any idea about how much of your report has been
4 copied from earlier work you have done?

5 A. No.

6 Q. No idea?

7 A. No. I mean, I would imagine the section on the
8 Dixiecrat is not going to -- I'm not going to come up
9 with a new idea about the Dixiecrat if I already spent
10 six years working on a book on the Dixiecrat.

11 Q. Of course.

12 A. Same thing related to the Bankhead book. So,
13 you know, I kind of object to the word "copy" since it
14 is my original -- much of that is my original creation.

15 Q. Right. Is there a word that would be more
16 accurate?

17 A. Rely on.

18 Q. I see from your end notes that you do
19 occasionally cite your own work.

20 A. Uh-huh (yes).

21 Q. Do you think you cited it every time that you
22 relied upon it?

23 A. I tried to.

1 Q. And you didn't rely upon any other author's work
2 without citation to the best of your knowledge?

3 A. I tried not to.

4 Q. When preparing your supplemental report, about
5 how many hours did you spend on that?

6 A. Twenty approximately.

7 Q. Did you review the sources cited in
8 Dr. Carrington's report?

9 A. I'm trying to think. I don't believe so.

10 Q. He cited a large number of books and primary
11 sources.

12 A. Uh-huh (yes).

13 Q. Okay. So just to confirm, you didn't go and
14 look them up or review them?

15 A. No. Some of them I was familiar with.

16 Q. Understood.

17 A. Some of them -- and I do think in some
18 instances, for example, the political scientists, Earl
19 and Merle Black we both used. So I felt like I was
20 familiar or if I had seen assessments of that work, I
21 didn't feel like I needed to go back and look. I was
22 mostly interested in his conclusions.

23 Q. Right, right. Did counsel edit your reports at

1 all before they were submitted?

2 A. No.

3 Q. Have you read the Singleton plaintiffs' most
4 recent complaint in this lawsuit?

5 A. No.

6 Q. Do you know specifically or vaguely what claims
7 they have raised in this lawsuit?

8 A. So now you did send something to me, so I don't
9 know if it was the most recent one. I read something,
10 but my approach was I was given a task. I didn't want
11 to become overly familiar with what they were going to
12 argue because that's not my job. My job is to answer a
13 question to the best of my ability. Whether they find
14 it useful or not is really not something I can concern
15 myself with.

16 Q. Understood. Do you recall having reviewed any
17 court documents like opinions or orders from this case
18 at all?

19 A. (Witness nods head back and forth.)

20 Q. Are you familiar with the Voting Rights Act of
21 1965?

22 A. I am.

23 Q. What about the 1982 amendments to the Voting

1 Rights Act?

2 A. No.

3 Q. Did you say no?

4 A. No.

5 Q. Are you familiar with the Equal Protection
6 Clause of the 14th Amendment?

7 A. I am.

8 Q. If someone were to ask you what is this lawsuit
9 about which you have been retained to assist with, what
10 would you say?

11 A. I would say speaking as a nonexpert, this
12 lawsuit is about how congressional districts are drawn
13 and the specific concern with Singleton is primarily
14 with the fact that Jefferson County is parts of -- ends
15 up in parts of three congressional districts and that
16 their concern is that that violates something in the
17 14th Amendment and that what they're concerned with is
18 creating districts that recognize -- I forget the term
19 of art, but it's something about areas of opportunity
20 or something like that. Right? Recognizing that
21 certain areas have the potential to create political
22 coalitions, which is not possible with the way the
23 district lines are drawn now. But like I said, I read

1 it over once. I felt if I became too familiar with it,
2 that's going to get into my brain, and that wasn't my
3 job, to make or break their argument.

4 Q. Completely understand. Have you ever testified
5 in court before?

6 A. I have not.

7 Q. What have you done to prepare for today's
8 deposition?

9 A. I have read over my report. I read over my
10 supplemental report. I asked a few process questions
11 of Mr. Blacksher, and that's it.

12 Q. Roughly how many hours did that take?

13 A. Three or four.

14 Q. Roughly -- or not roughly. Scratch that. Did
15 you discuss your testimony with anyone other than
16 counsel?

17 A. No.

18 Q. And how many meetings did you have with counsel
19 in preparation for today's deposition?

20 A. Preparation for the deposition, we spoke on
21 Friday.

22 Q. Okay. For roughly how long did you speak?

23 A. Two hours.

1 Q. Two hours? Was it just you and he?

2 A. Present was also Judge Clemon and a fourth
3 individual whose name I forget.

4 Q. That's fine. Did you review any documents with
5 counsel?

6 A. No.

7 Q. Did you review your reports with counsel?

8 A. We went over my report.

9 Q. Okay. Have you reviewed any deposition
10 transcripts from this lawsuit?

11 A. No.

12 Q. Let's go to Exhibit 1, your initial report.
13 Page four, please. Very first sentence, "The
14 Republican Party's ability to exploit white racial" --

15 A. Wait, page four?

16 Q. Yes. The very top sentence.

17 A. Okay.

18 Q. "The Republican Party's ability to exploit white
19 racial anxiety beginning in the early 1960's and later
20 in the 1980's, by developing conservative policy
21 positions with race at the center, allowed it to
22 attract a growing number of white voters." What do you
23 mean by the phrase "with race at the center"?

1 A. That race is -- my opinion is that race -- you
2 cannot disentangle race from policy, and sometimes it
3 can be explicit with regard to perhaps something like
4 affirmative action. Sometimes it's implicit, but that
5 -- so just about any issue that you could find, there
6 is a historical narrative in which race is implicated.

7 Q. And it's Republican policy specifically that you
8 can't disentangle race from?

9 A. Starting in -- I would say in the 1960's.

10 Q. And skipping one sentence, I guess, so the
11 bottom sentence of that paragraph, "With white identity
12 politics occupying the center of Republican politics,
13 creating effective and enduring biracial coalitions is
14 extremely difficult, if not impossible." What are
15 white identity politics?

16 A. White identity politics are politics in which
17 white victimization or white privilege plays an
18 important role, sometimes explicitly, sometimes
19 implicitly, but they are policies in which the
20 attraction of white voters is the goal.

21 Q. Okay. To make sure I understand, to say that
22 race is at the center of Republican politics beginning
23 in the '60's is also to say that white identity

1 politics is at the center of Republican policy?

2 A. I think one can say that, yes.

3 Q. If white privilege and white victimization are
4 at the center of Republican politics, is that also to
5 say that Republican policy is at its core about white
6 interests and white values?

7 A. I think a lot of it is. I'm sure we could find
8 issues. It's not every single issue, but if the
9 primary goal or one of the questions is why does the
10 Republican Party become viable in the South, in the
11 state of Alabama, it is because of their ability to
12 attract white voters. And much of that attraction was
13 accomplished through politics that appealed to a
14 defense of privilege or a sense of victimization.

15 Q. Do you believe that the Republican Party's
16 policy positions actually advantaged or gave preference
17 to white interests or white over black interests?

18 A. What period are we talking about?

19 Q. Let's start with the 1960's.

20 A. I think -- okay. Sorry. Restate the question.

21 Q. Do you believe that the Republican Party's
22 policy positions in the 1960's advantaged or gave
23 preference to white interests over black interests?

1 A. I think in terms of how politicians talked about
2 things like the Civil Rights Act of 1964, then, yes.

3 Q. Would you say yes as well if we are talking
4 about the 1970's?

5 A. What issue are you speaking about in particular?

6 Q. I'm not. Just the Republican platform, the
7 Republican -- I think earlier you said that
8 conservative policy positions, plural, would develop
9 Republican Party with race at its center. So I'm
10 speaking generally.

11 A. I think if you looked at something like busing,
12 then while black parents were not huge fans of busing,
13 I think they saw busing -- busing is an issue without a
14 constituency. But by the time busing becomes the
15 method by which equal opportunity and education can be
16 achieved, while black parents may not like it, it's the
17 best that they can hope for. White parents see it as
18 -- as they see themselves as victims of an overleaning
19 federal state, trying to engineer something that they
20 are opposed to, right? So I think with busing, then I
21 think -- I think race is at the center of that, and
22 white victimization is at the center of how many white
23 people feel about busing.

1 Q. And then jumping forward another decade into the
2 '80's and the Reagan era, would you also say that race
3 not only was at the center but that the Republican
4 Party was trying to advantage white interests over
5 black interests?

6 A. Again, I would ask you, you know, I think we
7 need to be careful. There is many policies in the
8 Reagan Administration, right? But I think we can take
9 a number. For example, affirmative action and/or
10 Reagan's -- let's say his attack on government
11 spending. When cuts are made in departments that are
12 large employers of black people, yet not in others
13 where black employees are less prominent, for example,
14 the department of state, then I think you could say
15 yes, you know. You can talk about -- when you are
16 talking about big government, right, those have racial
17 implications when the cuts in spending that he
18 implements are in departments that -- you know, like
19 HUD, like the Department of Education, like general
20 services that employ a lot of black people. Right? So
21 while he -- is he explicitly saying "I want black
22 people to lose their jobs"? When you target those
23 organizations that employ a lot of black professionals

1 and they bear the brunt of those cuts, whether in
2 employment or different types of social spending, then
3 I don't think you can ignore race.

4 Q. And moving forward even further into the '90's,
5 with the Clinton Administration and the further
6 changing landscape in the South, are there specific
7 issues again that -- for which you cannot ignore race?

8 A. For the Republican, here is what I would say to
9 that, which is as a historian -- and I try to do this
10 in my report, and Carrington kind of dinged me for it.
11 He says I wrap it up pretty quickly. I think as a
12 historian and in terms of the sources that we have
13 available to us, you know, whether we are doing that
14 research ourselves or we are relying on the research of
15 others, I think the '90's is still a little early for
16 someone like me to say definitively this is what I
17 think about these policies because we don't -- you
18 know, the '90's is relatively recent for historians
19 honestly. It's more the purview of political
20 scientists and others. So in terms of my -- where I
21 would like to sort of ground my testimony, I'm not
22 terribly comfortable going past the '80's.

23 Q. That's helpful. So if the '90's are relatively

1 recent for historians, then certainly anything after
2 the turn of the millennium would be more so?

3 A. Yeah. I mean -- you know, I could tell you what
4 I think as an educated citizen of the state of Alabama.
5 But in terms of my training, my expertise, my level of
6 comfort making a scholarly assessment, I would say that
7 that is -- it's not appropriate for me to do that.

8 Q. If called to testify at trial, would you opine
9 on the voting behavior of white southerners, for
10 example, after 2000?

11 A. I would not. I also don't -- I was very careful
12 also not to talk about voting behavior very much. And,
13 you know, I might have slipped in a word here and
14 there, which if I were to do it over again would be
15 very -- much more careful. But my task again was to
16 talk about party positions and how the party represents
17 itself and the positions that it takes. How voters
18 respond to that is not -- you know, voter choice and
19 voter behavior really is a different academic area.

20 I think as a historian, there are ways that
21 you can try to discern that. But for the latter, you
22 know, the more recent period, anything post '90's,
23 again, that's not my area of expertise.

1 Q. And you don't try to discern that?

2 A. I try not to.

3 Q. Having clarified it, thank you. You are looking
4 again at party positions, party platforms and how they
5 present themselves to the electoral. If called to
6 testify at trial, would you opinion on party positions
7 post 2000 and what they communicate to you as a
8 historian?

9 A. I would talk about the roots perhaps of those
10 party positions, but no. I would not talk about, you
11 know, what happened in the 2024 election or 2020.
12 Right? Again, because that's not my area of expertise.

13 Q. Okay. Let's go to page six, please. The first
14 full paragraph "beginning as a consequence," the last
15 sentence of that paragraph.

16 A. Sorry. Consequence, okay.

17 Q. I will read it. "The Democratic Party, whose
18 official symbol from 1904 to 1966 featured a rooster
19 and the slogan "White Supremacy for the Right," reigned
20 supreme in Alabama for the next 80 years." I believe
21 you clarified this earlier in the paragraph, but for
22 the transcript, the beginning of that 80-year period,
23 was that 1932 roughly?

1 A. That's a good -- let's see. Honestly, I'm a bit
2 confused by that sentence. So I don't -- I can't say
3 for sure when I start those 80 years.

4 Q. It's not super important, but let's look at the
5 second sentence of that paragraph. "During periods in
6 which Democrats were in the majority, especially
7 beginning in 1932, seniority brought committee
8 chairmanships and extraordinary power to kill any
9 legislation that threatened white supremacy." Do you
10 think you might have been referring to the early 1930's
11 as kind of the beginning of that 80-year reign?

12 A. No. No. I mean, honestly I would have to go
13 back and see when they -- when they adopted -- adopted
14 that slogan because obviously it's at least from 1904.
15 Oh, no, no. What I'm talking about is that Democratic
16 Party itself, not the slogan and the -- right. The
17 Democratic Party reigns supreme, right, from -- I would
18 say reading this paragraph, from the movement of
19 disfranchisement. So that's more what I'm talking
20 about.

21 Q. 1901?

22 A. Right.

23 Q. Which would then put the tail end of that reign

1 in the '80's?

2 A. I think that's when, you know, in terms of
3 having very little competition, right? Doesn't mean
4 that they weren't still getting elected, but in terms
5 of what we see earlier in the century, it doesn't --
6 it's not the same, right? Where there is absolutely no
7 meaningful Republican competition.

8 Q. Early on in that reign, would you say that the
9 Democratic Party was the party of white supremacy?

10 A. When you say early on, what are you talking
11 about?

12 Q. At disfranchisement.

13 A. Was the Democratic Party the party of white
14 supremacy? Yes.

15 Q. Did it ever stop being the party of white
16 supremacy?

17 A. I think it -- are you talking about the national
18 Democratic Party or the state Democratic Party?

19 Q. Let's do national first.

20 A. Okay. It's complicated because with the
21 Democratic Party being the primary party in the South,
22 southern members of that party in congress maintained a
23 lot of power throughout the 20th century. However,

1 beginning in 1948 and let's start with '48 with Truman,
2 we began to see a split where the Democratic Party and
3 certain members, not white southerners, in congress are
4 beginning to -- I wouldn't say fully embrace but to
5 articulate a stronger civil rights position.

6 And so while I would say southern Democrats
7 hang on to policies and beliefs that are not conducive
8 to racial equality and, I think, you know, who hangs on
9 to what is really almost comes down to an individual
10 level. Nationally, the party begins moving away in the
11 late 1940's. And so members of that party remain
12 wedded to the defense of segregation while the national
13 party is promoting something and trying to move in a
14 different direction.

15 Q. Okay. Now moving to the state Democratic Party.

16 A. Right.

17 Q. Specifically Alabama.

18 A. Uh-huh (yes).

19 Q. Did it stop being the party of white supremacy
20 before it lost control?

21 A. When do you say that it lost control?

22 Q. 2010.

23 A. Again, I think, you know, unlike one of my

1 disputes with Carrington was he claims that I said the
2 switch was immediate. I don't say that. I think -- I
3 think -- I think there are -- I think the Democratic
4 Party locally had to move away from policies that kept
5 black voters as second class citizens once the Voting
6 Rights Act of 1965 was wedded. Things are complicated
7 by you now have new black voters that want to
8 participate. But in terms of whether once the Voting
9 Rights Act of 1965 is signed, do all white Democrats
10 and white political leaders in Alabama suddenly become
11 lovers of racial equality? No. It takes a while for
12 the party, locally or statewide, right, to figure out,
13 you know.

14 Like I said, it takes a while. It takes
15 well into the 1980's, according to what I have read, to
16 figure out that balance, right? How are we going to
17 embrace, incorporate black voters, black leaders,
18 right? Black politicians who want a say in the
19 direction of the party without losing our base with
20 white voters who don't want to give all that up.

21 Some people did it more easily than others,
22 right? George Wallace, although he does apologize for
23 his previous segregationist positions, he carries that

1 history with him. Some black voters will -- they
2 believe that he is sincere, and actually I think he
3 gets 30 some percent of the black vote in his last
4 election as governor because black people have always
5 had -- they have always had to be pragmatic.

6 And I know I'm doing what I'm not supposed
7 to be doing, which is being a professor and trying to
8 go on and on. And I sort of lost the thread of the
9 question. But I don't -- I don't think you can
10 pinpoint time in which we say, okay, the Democratic
11 Party in Alabama no longer has members, leaders. You
12 know, they are not going to push for segregation.
13 That's over. And really nobody is -- you know, I think
14 nobody is pushing for segregation. That fight is over,
15 right? Then the fight moves into new terrains of
16 policy, of other types of ways in which, you know,
17 parties can carve out their positions.

18 Q. At the end of page six, the last sentence, I
19 will read that, and then I will go on to page seven.
20 "In addition to creating constitutional barriers to
21 electoral participation, white Democrats crafted a
22 strong cultural narrative about the superiority of the
23 Democratic Party and the corresponding illegitimacy of

1 the Republican Party. Democrats established their
2 legitimacy as the ruling party by creating a particular
3 interpretation of the southern past and the southern
4 present that made a virtue of white elite Democratic
5 rule, denigrated black culture, perpetuated a fear and
6 hatred of black political participation and the
7 Republican Party and taught reverence for the
8 antebellum South and the Confederacy." Just so I'm
9 clear, when did that take place? When was that attempt
10 to craft that narrative by the Democratic Party?

11 A. That begins in the 1880's, and it continues well
12 into the 20th century.

13 Q. How far into the 20th century, do you think?

14 A. In terms of the Democratic -- members of the
15 Democratic Party pushing that narrative? Again, we can
16 find individuals like Marie Bankhead Owen who never
17 gives up the ghost, and she is doing it well into the
18 1950's. And that's no small thing in someone who is
19 from a Democratic Party, a Democratic political family
20 and head of a major state institution.

21 But in terms of the party itself, to a
22 greater or lesser degree, into the early -- you know,
23 the late 1950's and starting into the 1960's. And then

1 certain individuals like George Wallace would continue,
2 I think, to use those symbols. But again, it becomes
3 problematic when you have to attract black voters, and
4 these symbols and narratives, they are not helpful.

5 Q. Can we go to page nine?

6 A. Uh-huh (yes).

7 Q. The middle paragraph there beginning "the
8 greatest threat," the second sentence. "Protestant
9 leaders across the South expressed fear of Smith's, Al
10 Smith's, candidacy. Many wondered whether cultural and
11 religious concerns might trump race in this campaign,
12 leading some white southern voters to abandon the
13 Democratic candidate to support the hated Republicans
14 and their popular candidate, Herbert Hoover."

15 And then jump to the next page, which is
16 still talking about this election. The last two
17 sentences of that top paragraph, "Alarmed by Heflin's
18 bolt, the state Democratic Party countered with an
19 attack of their own, depicting Hoover as a supporter of
20 racial equality and reminding white Democratic voters
21 of the tragedy of reconstruction, when carpetbaggers
22 invaded the South and freedmen served in the
23 legislature. A vote for Herbert Hoover, they cried,

1 meant a return to black domination." And one last
2 sentence, the second sentence or, excuse me, the third
3 sentence of the next paragraph, "Al Smith carried
4 Alabama by a mere 7,000 votes. Roughly 100,000 Alabama
5 Democrats voted for Herbert Hoover." Would you agree
6 that for at least those 100,000 Alabama Democrats,
7 religion did appear to turn race at least in that
8 election?

9 A. No.

10 Q. And why not?

11 A. Because I think you have to look at who the
12 messenger is, right? And the messenger for Alabama was
13 Cotton Tom Heflin, who, you know, never did a poll, but
14 he was one of the most virulent white supremacists.
15 Nobody was going to question his white supremacist
16 credentials. So when I think -- and also if you look
17 at how he talks about papal conspiracies and, you know,
18 the pope is going to start -- I don't know. I mean,
19 it's really crazy stuff. But much of it involves race,
20 right? He does not separate those things, and the fact
21 that he has these credentials, he is a -- you know, he
22 is a staunch white supremacist. Nobody could besmirch
23 him of that. I think that means something.

1 If it was somebody else, if it was a
2 Republican who was talking about papal conspiracies
3 and -- you know, and prohibition also. You can't talk
4 about prohibition in the South without talking about
5 race. And so, again, the messenger is important.

6 And so, no. I don't think -- I think was
7 religion and prohibition part of it? Of course, it
8 was. Right? But the fact that it is Cotton Tom Heflin
9 who is leading this charge is meaningful, and it is
10 embedded in ideas of white supremacy.

11 Q. So even though the Democratic Party also tried
12 to use a racist to smear campaign against --

13 A. Sure, Herbert Hoover. Right.

14 Q. Herbert Hoover, yet that didn't work incredibly
15 well or at least 100,000 Alabama Democrats still voted
16 for Hoover?

17 A. Right.

18 Q. Your position is that race was the driving force
19 behind their vote?

20 A. I think it made them comfortable to go off the
21 reservation as it were. Sorry, that's not a very
22 cultural sensitive thing, but to abandon the Democratic
23 Party again because of Heflin. And so in some ways,

1 I'm not saying religion, right, the Catholicism of Al
2 Smith, his position on prohibition didn't matter. But
3 if Al Smith had not -- Al Smith had not also been
4 presented as someone who -- by a white supremacist as
5 someone who -- you know, he is a New Yorker. Right?
6 He hired black people. He had black men supervising
7 white women. I think if you take that way, I don't --
8 you know, it wouldn't -- I mean, it's a counter
9 factual, right? I think it matters. I don't think you
10 can divorce those things.

11 Q. Okay. Let's fast forward to page 24, and
12 Richard Nixon.

13 A. Okay.

14 Q. Go to the very middle of that paragraph
15 beginning "unlike Wallace." Do you see that? "Unlike"
16 is on the right-hand side of the page.

17 A. Oh, yes. Okay.

18 Q. I will read a few excerpts. "Unlike Wallace,
19 Nixon avoided supporting segregation openly. He
20 developed what came to be known as a southern
21 strategy." Just a quick question right there. Do you
22 think Nixon supported segregation secretly?

23 A. No. Nixon was not a Segregationalist.

1 Q. Why did you phrase it as "unlike Wallace, Nixon
2 avoided supporting segregation openly"?

3 A. Yeah. I mean, I would agree that that's
4 probably not as carefully worded. I think what I was
5 -- well, he didn't talk about it openly. He didn't --
6 he didn't profess support for segregation. So how
7 about that?

8 Q. Okay. Kind of skipping the rest of that, and
9 then moving on to the one beginning "Nixon
10 established."

11 A. Okay, yes.

12 Q. "Nixon established a politically safe terrain by
13 simultaneously affirming his belief in the principles
14 of equality while opposing the use of federal
15 intervention to enforce compliance. A majority of
16 white Americans had come to believe that denial of
17 basic citizenship rights was wrong, but they were
18 opposed to the prospect of substantial residential and
19 educational integration imposed by the courts and by
20 the federal regulatory bureaucracy through involuntary
21 mechanisms, especially busing." Could you turn the
22 page to page 25.

23 A. Okay.

1 Q. And the second sentence of that first full
2 paragraph, "Nixon carried through on his promises of
3 conservative judicial appointments" --

4 A. I'm sorry. Where are we?

5 Q. It's the first full paragraph, beginning "Nixon
6 carries."

7 A. "Carried much of the upper South"?

8 Q. And then the second sentence.

9 A. Sorry, okay.

10 Q. "Nixon carried through on his promises of
11 conservative judicial appointments, relaxed enforcement
12 of school desegregation and opposition to busing to
13 achieve racial balance in public schools."

14 A. Uh-huh (yes).

15 Q. Could you go to Exhibit 3, which is
16 Dr. Carrington's report?

17 A. Uh-huh (yes).

18 Q. Specifically page 19. The very last complete
19 sentence beginning "a Harris poll." "A Harris poll
20 from 1975 found that Americans supported desegregation
21 by a 56 percent to 35 percent margin while the same
22 sample opposed busing 75 percent to 20 percent. Thus,
23 a number of voters did not see busing as essential to

1 achieving the goal of desegregation, a goal with which
2 they agreed. Importantly, these statistics also
3 revealed far from boisterous support from African-
4 Americans. In a 1973 Gallup poll, for example, only
5 nine percent of African-Americans rated school busing
6 at the top of their list of the best means for
7 integration." I think you even mentioned this a little
8 bit earlier, but do you disagree that busing was
9 unpopular among both white and black Americans as a
10 means of desegregation?

11 A. No.

12 Q. And back to page 25 of your initial report.

13 A. Uh-huh (yes).

14 Q. I think I will just reread that one sentence
15 that I already read. "Nixon carried through on his
16 promises of conservative judicial appointments, relaxed
17 enforcement of school desegregation and opposition to
18 busing to achieve racial balance in public schools."
19 Is it your opinion as a historian these three policies
20 made Nixon an attractive candidate to southern
21 segregationists?

22 A. I would say so, yes.

23 Q. Do a little bit of jumping around here, but

1 could we go back to page 19 of Dr. Carrington's report?

2 A. Okay.

3 Q. The paragraph beginning "But hanging the hat."

4 A. Uh-huh (yes).

5 Q. I'm going to start reading at the reference to
6 Black & Black. "Black & Black note that Nixon
7 positioned himself to southern voters as opposed to
8 segregation but favoring only voluntary integration.
9 Such a position would be quite the concession for white
10 supremacists to take in their voting preferences."
11 Skipping a sentence. "Nixon's desegregation plan still
12 included substantial Justice Department-initiated
13 litigation, which Dean Kotlowski" -- K-o-t-l-o-w-s-k-i
14 -- "notes offended many white southerners, and thus
15 made questionable whether Nixon had swapped civil
16 rights enforcement for southern votes as his critics
17 complained. After these executive branch lawsuits
18 began, a record number of African-American school
19 children went to integrated schools in the fall of
20 1969." Then turning the page to page 20. The first
21 full paragraph, the sentence beginning, "In 1968, 68
22 percent."

23 A. First full paragraph. Okay, yeah, yeah.

1 Q. "In 1968, 68 percent of black children in the
2 South attended single-race schools. That number had
3 plummeted to eight percent by 1972, the year Nixon ran
4 for re-election. Far from coming despite Nixon, these
5 welcome results happened in part due to his
6 administration's efforts."

7 Now I will skip a sentence. "His budget
8 proposals to Congress asked to increase funding for
9 enforcing civil rights from 75 million to 2.6 billion
10 between 1969 and 1972. In 1970, he approved a new IRS
11 policy denying tax exempt status to all-white private
12 schools, a move that especially went after institutions
13 in the South trying to avoid public school
14 integration." The last thing I will read is the last
15 two sentences of the page on page 20.

16 A. Which page?

17 Q. Page 20, beginning "But Nixon forged ahead."

18 A. Okay.

19 Q. "But Nixon forged ahead, doing something the
20 Johnson Administration had not on this issue:
21 establishing numerical requirements for minority hiring
22 among those entities eligible for government contracts
23 with concrete timetables attached. This policy, far

1 from a new attempt to woo southern segregationists,
2 went beyond Nixon's former position in favor of
3 persuasion over coercion when he was vice president
4 under Eisenhower." Is it true that Nixon approved the
5 IRS taking away tax exempt status from private schools,
6 like Bob Jones?

7 A. That, I don't know. It's my understanding that
8 that was more of a Carter thing. So I can't -- I can't
9 say for certain.

10 Q. Is it true that integration was largely
11 accomplished to -- educational integration under the
12 Nixon presidency?

13 MR. BLACKSHER: Object to the form. Go
14 ahead.

15 A. I won't dispute the number that he gives here
16 because I don't have a counter number. However, I
17 would question what qualifies as integration. And, you
18 know, is it one black student in an all-white school?
19 I think we would also need to look at how many white
20 students fled the public school system. So I think
21 there is a lot of unpacking that I would need to do
22 about the degree of integration that takes place under
23 Nixon's watch.

1 I would also say with regard to -- I think
2 timing is important here, and also what the alternative
3 was. If the question is ultimately why would white
4 southerners support somebody under whom, you know,
5 integration proceeded, what was the alternative? The
6 alternative was McGovern.

7 And so in terms of Nixon keeping his
8 promise or being the better choice, of course, for
9 people who did not like enforced desegregation using
10 the tools of the Justice Department or the federal
11 bureaucracy, first of all, from what I have read -- and
12 this is not my particular area of research expertise.
13 There was -- there were certain things that Nixon just
14 simply couldn't stop that were already in the works
15 with regard to DOJ and career attorneys and timelines
16 and that sort of thing. Nixon said, "I'm going to slow
17 down timelines. We are going to stop this. We are
18 going to appoint conservative southerners," which he
19 tried to do. Some of them were not -- were not
20 approved for the Supreme Court.

21 But I think one thing Carrington ignores is
22 that Nixon was a much better alternative than Humphrey
23 and also a better alternative than McGovern in terms of

1 the pace. At some point Nixon simply couldn't stop it,
2 and he knew that. Right? There were some things he
3 could do. He could also -- when he comes to these sort
4 of minority, it's his Philadelphia plan, right, where
5 you have to have a certain number of contracts. And
6 Nixon never -- there was never a racial conflict that
7 he didn't mind for political profit.

8 On the one hand, I think he truly believed
9 in providing economic opportunity for black people.
10 That was something that I think he could get onboard
11 with, but there was a bonus here for him with the
12 Philadelphia plan, which is it's a way to pit black
13 workers and black business owners and black contractors
14 -- and I think really where he is focusing on is the
15 building trades -- against white unions. Two key
16 members of the Democratic Party coalition.

17 And so the Philadelphia plan, which I don't
18 know how much progress that ended up being for black
19 contractors. While that's, you know, you could say,
20 "Well, look. Look what Nixon is doing." What he is
21 really doing, what he is really interested in is sewing
22 discord between two key members of the Democratic Party
23 coalition.

1 So I guess my response would be that one
2 would have to -- there is a lot more going on beneath
3 the surface, I believe, of what Carrington is saying.
4 He is picking and choosing statistics, and Nixon is a
5 complex guy.

6 But I think at the end of the day, what we
7 can say is that in terms of who -- who is providing a
8 policy on school integration that is more palatable to
9 a group of voters who are concerned about that issue
10 and that it's going too fast, Nixon was the better
11 choice.

12 Q. Okay. So Nixon was a better choice to those
13 concerned about desegregation than Humphrey or
14 McGovern. Do you think it was a lesser of two evils
15 situation or Nixon was more a positive good and
16 Humphrey and McGovern were --

17 A. I wouldn't look at it as the lesser of two
18 evils. I mean, I think in '68 he was probably the
19 lesser -- or he was probably -- I mean, Wallace was the
20 better choice or the more palatable choice for a lot of
21 white southerners. No. I think there is a lot about
22 Nixon that -- I wouldn't think he was the lesser of two
23 evils.

1 Q. So what policies specifically of Nixon's do you
2 think made him a positively attractive choice to
3 southern voters?

4 A. What policies? I mean, like I said, you know,
5 he did appoint conservative southerners to -- or he
6 nominated them. Whether they succeeded in getting on
7 the court, right, he chose men who had a record of not
8 being pro-civil rights jurists. Right? Okay. That's
9 something that white southerners can get behind. They
10 were successful or not, that's not on Nixon.

11 So I would point to that and say, 'okay,
12 that's where he,' you know -- 'that's where he comes
13 through.' I think when he says, you know, I am not
14 going to -- you know, probably more statements than --
15 you know, I'm not a Nixon policy expert. But when
16 Nixon talks about forced busing, using the power of the
17 state to make desegregation or integration a fact of
18 life, you know, that is something that white
19 southerners can get behind. Whether he is actually
20 able to do that, I think, is kind of beside the point
21 politically. He says that he is against it. And
22 whether desegregation continues under his watch, again,
23 there is very little -- he doesn't get punished for it.

1 There is very little that he can do once that ball is
2 in motion, I think, as president.

3 And, yeah. He is not -- they don't punish
4 him for it, right, because again, what's the
5 alternative? The alternative is George McGovern.

6 Q. The section titled "Stymied in the 1970's" on
7 that same page, 25.

8 A. Uh-huh (yes).

9 Q. This is page 25 of the initial report, Exhibit
10 1. The second sentence, "Despite Nixon's success in
11 1972 and despite the fact that the national Democratic
12 Party by 1972 had become increasingly fractured and
13 defined by its liberal-reform wing that was dedicated
14 to using federal machinery to expand and secure rights
15 for those at society's margins, southern Democrats in
16 the House and the Senate withstood the Goldwater and
17 Nixon challenges." This liberal reform wing you
18 mention, is that what some refer to as the New Left?

19 A. I don't like that -- I don't like that term.
20 What I would talk about there would be groups that --
21 like the women's -- people interested in women's
22 rights, people interested in gay rights.

23 New Left, I think, by this point, I mean, I

1 guess you could call it that. When I think about the
2 New Left, I really associate it more with the Vietnam
3 War and opposition to that war. But, you know, that's
4 fine. We can use that term.

5 Q. Okay. Were Humphrey and McGovern liberal reform
6 candidates?

7 A. Humphrey was not. Humphrey was a pretty solid,
8 you know, Democrat whose base of support was with labor
9 unions. That was one of his, you know, major areas of
10 support, slightly less civil rights groups. McGovern
11 had -- you know, was to the left, although he had a
12 strong -- both McGovern and Humphrey had strong voting
13 records for working-class issues.

14 I think in terms of, you know, McGovern was
15 -- had more of an ear for women's rights, for gay
16 rights, for the anti-war movement. Right? Humphrey
17 was Johnson's man. Right? He was going to continue
18 that policy. And so I think they are two -- I would
19 put McGovern to the left. And, of course, he was
20 absolutely slaughtered in '72.

21 Q. To what degree had the Democratic Party by 1972
22 become fractured and defined by the liberal reform
23 wing?

1 A. I don't think it had become defined by it, but
2 it was certainly cracking. The party itself comes up
3 with new rules with regard to who can participate or
4 who -- yeah, who participates in the convention and the
5 delegate process so that you do have more -- you know,
6 you have to have -- if you are sending a delegation --
7 and again, I don't know the rules specifically, but
8 there had to be more young people. There had to be
9 more people of color. There had to be more women. And
10 all of those groups have -- you know, those are in many
11 ways, except for African-Americans, right, these are
12 now constituencies with new concerns that are moving
13 the party to the left.

14 The counter balance to them is organized
15 labor, which remains supportive of the war in Vietnam.
16 A fairly staunch supporter of civil rights initiatives,
17 right, labor is usually in the forefront of a lot of
18 those fights going back to the '30's. But there are
19 places, you know, where they might differ. So I think
20 in '72, you really start seeing, yeah, the impact of
21 these new previously marginalized groups beginning to
22 make their voices heard, and the Democratic Party is
23 opening the door to that.

1 THE WITNESS: Can I get some more coffee?

2 MR. GEIGER: Yes. Can we go off the
3 record.

4 (Recess taken.)

5 Q. (BY MR. GEIGER) Page 26 of your initial report,
6 Exhibit 1.

7 A. When you say page 26, are we talking about
8 your --

9 Q. I'm only talking about yours.

10 A. Okay.

11 Q. The very middle of that middle paragraph
12 beginning "Wallace's strident racial appeals secured a
13 base of support among white voters that Republicans
14 found impossible to break."

15 A. Uh-huh (yes).

16 Q. And I want to reference one sentence in your
17 supplemental report, this is on Exhibit 2, but yes,
18 it's also Exhibit C. Exhibit 2, page six. The first
19 sentence of the first full paragraph, you write,
20 "George Wallace was the most consequential politician
21 in Alabama in the second half of the 20th century."
22 How long did Wallace's strident racial appeals that you
23 reference stymie Republican efforts in Alabama?

1 A. I mean, Wallace -- and here, I think when we
2 talk about strident racial appeals, we can't ignore the
3 ones he had made in the past. Those stay with him,
4 right? Even when he runs in 1982, apologizes to black
5 voters and seems to have put that part behind him, it's
6 a part of who he is. It's still part of his record.
7 So I think it stays with him, right? Whether he is
8 overtly making racial appeals or not or whether he is
9 apologizing to black voters, again, black voters have
10 to be -- got to be pragmatic.

11 Why did they vote for Wallace in '82?
12 Because he is powerful, because he maybe did bring them
13 things like the junior college system. But in terms
14 of, you know, there was no room for -- you know, I
15 guess when I say strident racial appeals, I'm thinking
16 more about his past, sort of pre-early '70's. As we
17 get into the '70's, strident racial appeals are
18 becoming -- you know, it's not something that
19 Republicans are necessarily going to adopt, but there
20 is no room for them to maneuver even sort of if they
21 are using implicit racial appeals because Wallace has
22 that covered. Right?

23 And so I think when they think about George

1 Wallace, we don't think about George Wallace just in
2 one particular place in time. We have to think about
3 George Wallace in 1958 George Wallace or 1962 George
4 Wallace. So you can't divorce him from his history.

5 Q. Wallace had implicit racial appeals covered
6 during the '70's, I think I heard you say?

7 A. And I would say even until '82, the last time
8 that, you know -- he is who he is.

9 Q. I would like to introduce this article from the
10 Washington Post archives. This will be Exhibit 4.

11 (Defendant's Exhibit 4 was marked for
12 identification.)

13 Q. (BY MR. GEIGER) This is an account of that
14 apology, which you have now referenced a few times. If
15 you can flip the page to the back, this Post,
16 Washington Post author writes, "The evidence suggests
17 genuineness. In 1979 at the Dexter Avenue Baptist
18 Church in Montgomery where Martin Luther King, Jr.,
19 pastored in the 1950's, Wallace made an unpublicized
20 and unannounced Sunday morning visit to the
21 congregation. As recounted by Stephen Leshner in his
22 1994 book, 'George Wallace, American Populist,' the
23 former governor was pushed up the aisle and spoke. 'I

1 have learned what suffering means in a way that was
2 impossible before the shooting. I think I can
3 understand something of the pain black people have come
4 to endure. I know I contributed to that pain, and I
5 can only ask your forgiveness.'"

6 And skipping a paragraph, "In Wallace's
7 last term as governor in the late 1980's, he hired a
8 black press secretary, appointed more than 160 blacks
9 to state governing boards and worked to double the
10 number of black voter registrars in Alabama's 67
11 counties. In part, it was the politics of patronage.
12 In his last race for governor, he won with 60 percent
13 of the vote and well over 90 percent of the black vote.
14 But on a deeper level, it was using his waning
15 political power to bond with those he once scorned.
16 Tuskegee Institute responded with an honorary degree. "

17 So I know that's some question of the
18 genuineness, and that's not what this is about. But
19 rather, I'm still interested in your opinion that
20 Wallace's past is carried with him into the '80's, into
21 his last term as governor. Can you explain that a bit
22 more to help me understand how after a moment like
23 that, his segregation, his past, still to a degree

1 still defines him in his last term?

2 A. Uh-huh (yes). Well, I think part of it would
3 have to -- you know, that lies on the individual voter.
4 Do people believe him? And it's -- you know, if I'm a
5 white voter in Alabama and I see him apologizing in a
6 black church, I can choose whether to believe that or
7 not. I can choose to believe whether that's a
8 legitimate change of heart and embrace -- I mean,
9 whatever is quoted here. I mean, he is only talking
10 about now that he has been shot, he recognizes that he
11 has caused pain. Okay.

12 You know, there is nothing here about equal
13 opportunity or equality or whatever. And if I'm a
14 white voter, I can -- you know, I get to interpret that
15 statement. Right? I still see the same man, you know,
16 who stood in the schoolhouse door. And I can choose to
17 believe whether he has changed or not as can -- as can
18 a black voter.

19 So I think simply because you apologize and
20 you do some hiring, it doesn't -- it doesn't erase who
21 you were, and voters are welcome to interpret this the
22 way they want to. I mean, they know George Wallace
23 really well. George Wallace has been a part of

1 political life for 30 years or 20 whatever, 25 years.
2 And to say that people -- now that, you know, he has
3 made a statement, suddenly white voters have to accept
4 what is perhaps presented to them as a new version of
5 Wallace, who can say? You know, that's up to them to
6 interpret.

7 Q. So then, I guess, that makes sense to me. But
8 when you write that "Wallace's strident racial
9 appeals," which I guess would include implicit appeals,
10 "secured that white base that Republicans found
11 impossible to break," what's your evidence that that
12 difficulty to break into the white vote by the
13 Republicans lasted into the '80's because of --

14 A. Because they say so.

15 MR. BLACKSHER: Y'all are talking over each
16 other.

17 THE WITNESS: Oh, I'm sorry.

18 Q. (BY MR. GEIGER) The last part of my question
19 was because of Wallace's history?

20 A. Right, because that is what Republican
21 candidates say, right? That he still occupies center
22 stage in Alabama politics, and it's hard for us to find
23 a place to maneuver. And so -- in fact, I was just

1 reading something the other day. I could get you the
2 citation, if you need it.

3 But over and over again, that is what they
4 say. There is no place for us because he has that
5 covered. Whether he is going to continue the policies
6 of '62 or not, right, he carries that with him. And so
7 if we -- you know, we will try -- we see our future in
8 appealing to white Alabama voters. But as long as this
9 guy is here, as long as white Democrats who are not
10 Wallace can separate themselves from this increasingly
11 liberal national Democratic Party, there is no place
12 for -- you know, it's very, very hard for them.

13 Q. I understand that in the '80's, in response to a
14 powerful figure like Wallace was and the power that he
15 still had in the mind of the average Alabamian, both
16 white and black, but was it Wallace as the
17 segregationist, as the former segregationist, that --

18 A. I think it's Wallace -- sorry.

19 Q. Was it the Wallace as the former segregationist
20 that kept Republicans out or was it just this powerful
21 figure who was publicly a repensive segregationist and
22 one who had disallowed that --

23 A. I mean, Wallace was not a segregationist by the

1 1980's. I mean, he doesn't promote segregation in
2 1982. He is not -- he doesn't do that. But again, he
3 has spent his entire political life as the torchbearer
4 for mostly working-class whites and some middle -- you
5 know, who feel like all of these changes have
6 disadvantaged them. And he -- they still believe in
7 that, regardless of his apology, regardless of his
8 hiring of 160 people. They still see him as their
9 champion. And so, no. I wouldn't say that he is
10 making -- you know, he is promoting segregation in
11 1982. He is not doing that. But these appeals that he
12 made in the past, these echos of the older George
13 Wallace, are still there.

14 Q. Is he promoting race-based policies in 1982?

15 A. That, I don't know for sure.

16 Q. Do you think that white southerners in 1982 were
17 voting for him for racial reasons?

18 A. I think you can't separate whatever it is George
19 Wallace is doing from some sort of implicit appeal to
20 white voters.

21 Q. Because of their race?

22 A. Because of their feelings of victimization, and
23 his -- and his expert ability to exploit that.

1 Q. Let's turn to page to page 27. The second
2 paragraph begins, "The Republican party in the 1980's
3 did not shy away from racial messaging." And I'm just
4 going to skip to the third paragraph. "Under Reagan's
5 leadership," do you see where I'm at?

6 A. Yeah, yeah.

7 Q. "Under Reagan's leadership, the Republican Party
8 in the 1980's pursued a conservative agenda that, while
9 not explicitly racist, had race at its center.
10 Republicans pursued a range of policy prescriptions
11 that relied on the belief that the black community is
12 marked by higher rates of crime and illegitimacy, a
13 weakened family structure, low achievement in
14 educational levels, and greater demands on the welfare
15 system." I'm going to go back up a little bit to the
16 Lee Atwater quote.

17 A. Yeah.

18 Q. "Republican strategist Lee Atwater in 1981
19 admitted that, quote, 'The whole strategy was based on
20 coded racism, the whole thing,'" end quote. Did you
21 listen to the whole interview of Atwater by Alexander
22 Lamis in 1981 that this quote is taken from?

23 A. No.

1 Q. I would like to give you a transcript of a
2 portion of that interview in context. And also because
3 I am not a person -- I want the audio of that part, and
4 we can follow along. And the audio is not -- I have
5 tried this before, and it's not excellent. It seems
6 like the microphone is a little bit far away from
7 Atwater and Lamis, but I think we'll be able to hear.
8 I'm not positive our Zoom listeners will hear, but
9 again, the transcript is going to be in the record. So
10 I will go ahead and mark and publish the transcript
11 now.

12 (Defendant's Exhibit 5 was marked for
13 identification.)

14 Q. (BY MR. GEIGER) Exhibit 5.

15 MR. BLACKSHER: Hold on a second here,
16 Soren. I'm concerned about authenticity,
17 authenticating what we are about to read or listen to.

18 MR. GEIGER: I have the whole transcript I
19 can also introduce into evidence, and I can --

20 MR. BLACKSHER: What is being marked as
21 Exhibit 5?

22 MR. GEIGER: That's a transcript of the
23 portion of the -- an audio portion of the interview we

1 are about to listen to.

2 MR. BLACKSHER: Okay. What was the date of
3 the interview?

4 MR. GEIGER: It's in 1981.

5 MR. BLACKSHER: And where is it available
6 publicly? How did you get it, in other words?

7 MR. GEIGER: It's available publicly
8 online. You don't have to go through any pay wall or
9 any subscription service.

10 MR. BLACKSHER: Okay. So is there any
11 problem in introducing the entire interview?

12 MR. GEIGER: No. That can be Exhibit 6.

13 MR. BLACKSHER: Pardon?

14 MR. GEIGER: That can be Exhibit 6.
15 Exhibit 5 is just the relevant portion of the 41-minute
16 interview.

17 MR. BLACKSHER: Okay. Is this the
18 interview in which he made the infamous remark about
19 "you can't say nigger, nigger, nigger again"?

20 MR. GEIGER: It is. That's not the portion
21 that Dr. Frederickson quotes. That's later on so we
22 are not going to be listening to that.

23 MR. BLACKSHER: We will be listening?

1 MR. GEIGER: We will not be.

2 MR. BLACKSHER: Okay.

3 (Audio played.)

4 Q. (BY MR. GEIGER) Okay. So did you include the
5 quotation, "The whole strategy was based on coded
6 racism," the whole thing as descriptive of Reagan's
7 strategy in your report?

8 A. Yeah. I'm looking at -- I want to look at the
9 footnote for that because I'm citing somebody else who
10 is citing Goldwater -- or sorry, Atwater. Okay. And
11 also Dan Carter. Yes.

12 Q. Do you agree based on what we heard in context
13 that Atwater was talking about the old Southern
14 strategy, not Reagan's campaign?

15 A. I would follow up on --

16 MR. BLACKSHER: Object to the form. Go
17 ahead.

18 A. I would follow up on what Mr. Blacksher was
19 speaking of is that I would need to read -- listen to
20 the entire -- to the interview in the entirety. In
21 terms of, you know, there is times when he says the
22 word that or this or whatever. I mean, before I would
23 answer that, I would need to listen to or read the

1 entire interview. But regardless of what Atwater is
2 saying, you know, and then he goes on to talk about --
3 well, he only talked about economics or national
4 defense. And I think as I answered in my supplemental
5 report that those things are not race neutral.

6 Q. What do you mean of his -- of Atwater's
7 statement that race was not a dominant issue in 1980?

8 A. I would say then why start your -- you know,
9 kick off your campaign in Philadelphia, Mississippi?
10 Hardly a metropolis, but a highly charged location to
11 talk about State's rights. And then he goes on to talk
12 about the Voting Rights Act. Nobody is saying in 1980
13 that black people shouldn't vote. Right? We are well
14 beyond that. But going to Philadelphia, Mississippi,
15 where three civil rights workers were murdered and then
16 talk about State's rights and local control, the racial
17 overtones of that are difficult to ignore.

18 Q. The end of the next page, page 28, the sentence
19 beginning "In the 1980's and 1990's," kind of halfway
20 through that paragraph, the bottom paragraph.

21 A. Sorry. What does it start with?

22 Q. "In the 1980's and 1990's."

23 A. Okay.

1 Q. "In the 1980's and 1990's, the Republicans
2 incorporated additional conservative themes of anti-
3 feminism and religious fundamentalism that were
4 interwoven with racial resentment. As one scholar has
5 noted, 'Even when not directly on the surface, race
6 lurks beneath nearly every issue in state politics.'
7 Polls have shown that white evangelicals are
8 disproportionately more likely to voice support for
9 policies and politicians that have racially
10 conservative implications." I don't see a citation at
11 the very end to any polls. Are you familiar with what
12 polls those might have been?

13 A. No. They are probably cited in a secondary
14 source so that's my error. But most of -- a lot of
15 polls are included in the Angie Maxwell/Todd Shields
16 book, "The Long Southern Strategy."

17 Q. And the very end of what I just read, what are
18 racially conservative implications?

19 A. Where are we talking about?

20 Q. The same sentence, "Polls have shown that white
21 evangelicals are disproportionately more likely to
22 voice support for policies and politicians that have
23 racially conservative implications."

1 A. Well, for example, public spending on welfare,
2 which on its face seems race neutral until you see that
3 those cuts fall disproportionately on black families,
4 right? So there is many -- I think many elements of a
5 broader conservative agenda that have racial
6 implications or government spending, like I mentioned
7 before. Right? We are going to cut the size of
8 government. Well, that has racial complications
9 because government, courts, have been the tools through
10 which different decisions, whether they are with regard
11 to civil rights or women's rights, have been pursued.

12 Q. Do you agree with David Hughes who you cite in
13 footnote 58 that race lurks beneath nearly every issue
14 in the state's politics?

15 A. Yes, lurks beneath a lot of them.

16 Q. If I were to name a few of the more prominent
17 issues from that era, the era being the 1980's and
18 '90's, could you articulate how you think they are
19 connected to race?

20 A. Maybe.

21 Q. Let's try a few. Why do you think that race
22 would lurk beneath the issue of religious liberty?

23 A. Who is talking about religious liberty?

1 Q. School prayer, for example.

2 MR. BLACKSHER: Object to the form.

3 Q. (BY MR. GEIGER) Does race lurk beneath the
4 issue of school prayer?

5 A. I think race is connected -- that you can't
6 divorce the politicization of evangelicals in the late
7 1970's around issues of school prayer without
8 acknowledging that those same people were supporters of
9 segregation. Right? So while you might -- so I think
10 there is a connection with regard to individuals, and I
11 think there is also a connection with regard to what --
12 you know, sort of the proper role of government. And
13 so if government and the courts have been the tools by
14 which disadvantaged groups, particularly African-
15 American's have sought an equal playing field or
16 equality, but then those same tools are being
17 criticized for, you know, denying religious liberty or
18 what have you, I don't think you can separate those
19 things.

20 Q. Okay. What's your basis for believing, or do
21 you believe, that race lurks beneath the issue of
22 abortion?

23 A. I would say the same thing, that race again

1 politicizes evangelicals who took up abortion. First
2 of all, that's a new issue for them. But again, the
3 same people who are articulating what they call, you
4 know, family values conservatism are the same people
5 who pushed against efforts, you know, to desegregate
6 schools, to desegregate -- to deny, you know, 501(c)(3)
7 status or whatever it is to religious schools. So is
8 it at the heart of abortion? No, but it's not
9 unrelated.

10 Q. And it's related because those figures who
11 prominently advocate against the issue of abortion have
12 also advocated on issues of race or against issues of
13 racial equality?

14 A. Yes. I mean, that's -- I would point to my
15 own -- my supplemental report where I address Falwell,
16 Jesse Helms.

17 Q. So that aspect of their advocacy taints the
18 other non-explicitly racial issues with race?

19 A. I wouldn't use the word taint. I would say it
20 makes it very difficult to disconnect them. Is every
21 person opposed to abortion also opposed to equal rights
22 for black people or whatever? No, of course not. I'm
23 sure there are black individuals who because of their

1 religious beliefs are anti-abortion, but I think the
2 broader question is people claiming rights. Right?

3 Abortion doesn't become an issue for
4 evangelicals until women demand it as a right and it
5 becomes a protected right. Before that, it was a
6 Catholic issue. Right? So it's the expansion of the
7 tools of government to ensure rights in this case for
8 women that suddenly it becomes an issue around which to
9 galvanize. And so it's that -- I think it's that put
10 into that broader context, and again, that context
11 concludes rights for African-Americans as well in my
12 opinion.

13 Q. Along similar lines then, same sex marriage
14 rights, are they also -- is the issue and the argument
15 surrounding that issue also related to race?

16 A. Same sex marriage was not an issue in the '80's
17 and '90's. So I'm not going to address that because
18 I'm not -- I have not studied that issue as a political
19 issue.

20 Q. Okay. What about tax policy?

21 A. What about it?

22 Q. In the '80's and '90's, was that issue related
23 to race?

1 A. I think so because ultimately with Reagan's tax
2 policy, a lot of the burden is shifted to -- there is a
3 couple of things that's happening. Right? You can
4 never divorce any issue from anything else. And I
5 think as historians, it's our duty to find out how
6 these things interact to a lesser or greater degree.
7 And so I think Reagan's tax policy, which shifts the
8 burden to middle and working-class people at the same
9 time that welfare roles have been expanding, those
10 individuals are told both implicitly and explicitly
11 that they are bearing the cost of government spending
12 for poor people. And by the 1980's, welfare spending
13 over the course of, you know, two decades of discussion
14 is being coded as white -- or as black, excuse me, even
15 though, you know, numbers show us that there are more
16 white welfare recipients, but a greater percentage of
17 black families avail themselves of things like AFDC and
18 food stamps.

19 And so when tax burdens are shifted, people
20 feel that they are burdened. Those burdens are seen to
21 be benefitting black people unequally, then, yes, I
22 think it has racial implications.

23 Q. Going back to the issue of abortion, focusing on

1 party positions unnecessarily on voter behavior and
2 voter attention; is that right?

3 A. Uh-huh (yes). Try to.

4 Q. So in the 1990's, for example, the Republican
5 Party position, pro-life position, do you view their
6 inclusion of that in their platform as tied to race at
7 its core or at its periphery tied to race?

8 A. I wouldn't go so far as to say at its core, but
9 again, I will refer back to my earlier comments about
10 the use of government, the demands of marginalized
11 people for protections, that all of those things are
12 taking place within a large conversation, and that
13 conversation very much includes rights for blacks.

14 Q. Is it that whenever --

15 A. And let me -- can I continue?

16 Q. Yes, please.

17 A. Also, I mean, I think you also have to consider
18 the fact, as I have already said, right, that these are
19 -- these are rights being demanded by women, which
20 again, part of a larger conversation about the Equal
21 Rights Amendment, right, and the women's sexual
22 liberation movement which draws out of the civil rights
23 movement.

1 So I don't think you can slice and dice
2 these things and say abortion is only about -- now for
3 an individual, I'm not going to say what an individual
4 thinks. But I think as far as a larger conservative
5 agenda, these things are connected.

6 Q. So whenever a marginalized group has a right
7 threatened, is that related to race?

8 A. Whenever a marginalized group has a right
9 threatened, is that related to race? I would say
10 whenever a marginalized group proclaims a right and
11 seeks protection, I think if you want to understand the
12 articulation of that right and what it is they are
13 demanding and their demands for inclusion and
14 protection, you can't necessarily have -- I mean,
15 again, we are talking in generalities so I would have
16 to know what rights you are talking about. I think
17 within the context of American history, I think race is
18 always part of the discussion.

19 Q. Let's go on to page 29 and try to wrap up this
20 discussion of your initial report before lunch. About
21 seven or eight lines up from the very bottom, sentence
22 beginning, "Since the 1970's."

23 A. Uh-huh (yes).

1 Q. "Since the 1970's, Democrats have lost seats in
2 almost every legislative election cycle, due largely to
3 their loss of support among rural white voters." Jump
4 over to Dr. Carrington's report real quick, page 18.
5 The last sentence of that very top portion of the
6 paragraph, "Not until the 2010's did rural Southerner
7 whites align with the GOP more than urban whites."

8 A. Uh-huh (yes).

9 Q. Why do you think rural white voters were so slow
10 to switch to the GOP in the South?

11 A. Part of it is, I think, the proximity -- well, a
12 couple of things. First of all, I think Democrats just
13 had a deeper bench. I don't think we can talk about
14 the viability of the Republican party without looking
15 at, first of all, how very, very skilled Democratic
16 politicians were. I think Howell Heflin would be a
17 great example of that.

18 And somebody who could thread the needle
19 with regard to his own sort of more conservative
20 positions on something like school prayer with his
21 support for affirmative action. And he could -- and
22 that is one reason why it's so hard -- you know, so,
23 first of all, I think Republican Party just had -- it

1 took them a very long time to develop a party
2 structured to develop a party to field candidates at
3 lower levels who then could become part of their bench,
4 right? And so just weren't very good candidates.
5 Right? They were pretty bad actually.

6 So part of it is just kind of the human
7 element that Democrats were just better. Right? They
8 were just stronger, better candidates. I think also in
9 the 1970's, we still have that kind of human connection
10 in terms of party leaders with the new deal. The new
11 deal is transformative for poor people, but more so
12 working-class people.

13 And there was a special transformative for
14 white people. They were the beneficiaries of that
15 government largess and those government rights to a
16 much greater extent than were black people. I think as
17 that connection gets attenuated and stretched out,
18 right, as people who might have voted in the '30's,
19 '40's and '50's died, right, that connection is not
20 there. All right. Sorry. Remind me of your
21 original --

22 Q. So I will just ask a follow-up question along
23 those same lines. So in the 1990's, was the Democratic

1 Party in the South trying to keep their white base,
2 what was left of it, with appeals to race, do you
3 think?

4 A. I think they were trying to find policy
5 positions that did not aggravate black voters and make
6 them feel that black people were getting -- you know,
7 whether we agree that these are additional benefits or
8 not, I think they try to carve out policy positions
9 like -- and even this is not -- this is not free of
10 racial implications, like infrastructure, right?

11 They try to carve out policy positions that
12 can attract enough white voters and not lose too many
13 black voters. And again, black voters, they don't have
14 the luxury of shopping around, right? They are a
15 minority population. The Democratic Party, the
16 national party, has proven itself to be receptive and
17 sensitive to their needs and desires.

18 And so there is really sort of no option
19 for them, but the Democratic Party can't -- you know,
20 the only way it can compete, it has to hang on to a
21 certain percentage of white voters. And so finding
22 policy positions that, again, can sort of thread that
23 needle is becoming increasingly difficult and

1 especially at, you know, the national level where black
2 voices are becoming more prominent.

3 Jesse Jackson would be a good example of
4 that, and that makes white voters in the South -- you
5 know, they are not supporters of Jesse Jackson, right?
6 He is kind of their worst nightmare in terms of this
7 has become the black people and black needs and black
8 desires and, therefore, it's a zero game. We will be
9 disadvantaged.

10 Q. A couple more things real quick. The first
11 paragraph on page 29, "Building on the position that
12 Nixon had pioneered and Reagan had expanded, by the end
13 of the 20th century, race and white anxiety formed the
14 bedrock of conservative political ideology and was
15 embedded in conflicts surrounding taxes, spending,
16 education, crime and welfare as well as the promotion
17 of what came to be known as family values issues.
18 Racial attitudes become a central characteristic of
19 both ideology and party identification, integral to
20 voters' choices between Democrats and Republicans."
21 And then the second to the last sentence on this page
22 beginning "Only 17 percent."

23 A. Okay.

1 Q. "In Alabama, only 17 percent of white voters
2 identify as Democrats and only 15 percent of black
3 voters identify as Republicans." Is it your opinion as
4 a historian that the racial breakdown of the two
5 political parties is the result of race and white
6 anxiety?

7 A. I think the racial breakdown of the parties is
8 due to a lack of effort on the part of the Republican
9 Party to attract black voters and to appeal to white
10 voters, whether the voters themselves feel anxiety or
11 not or they choose on that. I try not to get too far
12 into voter choice.

13 Q. The last sentence of that top paragraph that I
14 read, you write, "Again, racial attitudes become a
15 central characteristic of both ideology and party
16 identification, integral to voters' choices between
17 Democrats and Republicans."

18 A. If I were to write this over, I would probably
19 take out "voter choices."

20 Q. Okay. How would you know -- first, strike that.
21 During the period you have studied, ending with the
22 1990's, did race dominate Southern politics?

23 A. How would you define dominate?

1 Q. Using some of the phrases that you have used,
2 it's central to party politics. It's embedded in
3 almost every issue.

4 A. Yeah. I mean, I think saying it dominates is
5 saying it's implicated in a lot of different issues.
6 So, yes. I would say that you can take a multitude of
7 issues, and you don't have to scratch too far below the
8 surface to find that there are racial consequences and
9 racial implications.

10 Q. Is it the most important issue that might be
11 lurking below the surface?

12 A. Are you asking me as a historian or as a
13 citizen?

14 Q. As a historian.

15 A. As of 1990? I would say -- I would say it's the
16 most intractable.

17 Q. How would you know when it has stopped being the
18 most intractable?

19 A. Uh-huh (yes).

20 Q. What would you look for as evidence of that?

21 A. Being a historian, what I would first have to do
22 is wait. In someone who is interested in party
23 politics, I think I would have to wait until people's

1 papers are available and I see communications that
2 people are having with -- the politicians are having
3 with voters.

4 I truly believe as a historian that you
5 really can't talk about sort of voter desire and voter
6 choice until you actually get the voices of voters.
7 And so we get some snippets of that in polls, but, you
8 know, questions are worded weirdly. What you can see
9 in politicians' papers though are people writing and
10 saying, "This issue is important to me. I like this
11 issue because I'm concerned about X."

12 And so I think in order to understand,
13 okay, when does it get eclipsed, you know, I can't say
14 because I don't think the evidence is available for me
15 to survey. Speaking as -- well, I will just leave it
16 there.

17 Q. Would it be significant evidence to you that it
18 has been eclipsed if conservative issues were beginning
19 to wane in popularity?

20 A. So in other words, if there was a progressive --
21 I mean, I would have to -- I would have to see what
22 issues are coming to the forefront.

23 Q. Hypothetically, if the Republican Party threw

1 off the pro-life policy position, disavowed it, would
2 that be evidence to you that race was beginning to lose
3 some of its force in Republican politics?

4 A. Not necessarily, because the pro-life position
5 is -- first of all, I don't see that happening. But
6 second of all, it's interconnected. So I would have to
7 see -- you know, I would have to see the context.

8 Q. Looking at how voters vote, whether they vote
9 Republican or Democratic, is that evidence one way or
10 the other of the influence that race has upon politics
11 in the South?

12 A. I mean, it's not meaningless, right? And I
13 think if -- you know, what you can say is you can look
14 at it, look at a campaign. You can look at all the
15 materials surrounding an administration or a politician
16 and their positions. Look at the issues that they
17 emphasize, how often do they talk about it, how do they
18 talk about it, what are people responding to. And then
19 you look at the vote. I think you can say if all a
20 politician talks about is white supremacy and he gets
21 90 -- or she gets 99 percent of the white vote, then I
22 would say yes, race is pretty important. But I think
23 it's something that we need to be -- you know, it takes

1 care, and it takes time. And I do think as a
2 historian, I think it takes some distance.

3 Q. If all a politician talked about were pro-life
4 position, lower government spending, certain foreign
5 policy positions and garnered 83 percent of the white
6 vote, would that be evidence to you that race is
7 actually at play in that politician's strategy or in
8 his politics?

9 A. One thing I would say is that lower government
10 spending often targets programs and agencies that have
11 as part of -- main part of their benefits, programs,
12 employment that address the needs of poor people and
13 especially poor black people. And so if that is where
14 your -- you know, your spending cuts are falling,
15 again, we would have to see what do they want to cut?
16 Do you want to cut defense? Okay. I don't know that
17 -- you know, I'm not going to say it doesn't involve
18 race, but I would have to take a closer look at it.
19 But if what we are talking about is social spending,
20 again, looking historically, you can't separate social
21 spending cuts from ideas about race.

22 Q. Almost done before lunch. If more white voters
23 voted Democratic, would that be a good sign that race

1 was losing some of its influential power?

2 MR. BLACKSHER: Is the question about today
3 or what's the timeframe?

4 Q. (BY MR. GEIGER) The statistics you gave, I
5 think, were modern, today's statistics of 17 percent
6 white Republicans.

7 A. I mean, you know, I don't think I'm qualified to
8 comment on -- if we are talking about 2024. I'm a
9 historian so --

10 Q. The very last page of your initial report, page
11 30, I guess I should begin the sentence on page 29.
12 The sentence expands the pages.

13 A. Uh-huh (yes).

14 Q. "As Angie Maxwell and Todd Shields argue in
15 their recent book, 'The Long Southern Strategy,' the
16 decision to chase white Southern voters in order to
17 build a new Republican coalition was not only
18 intentional, strategic and effective, but it was also
19 unabating." Quoting that adjective "unabating," as a
20 historian, is it your opinion that it was unabating up
21 until the end of the 20th century or do you also as a
22 historian believe that it continues to be unabating?

23 A. Speaking as a historian, I would say that the

1 evidence is clear through the period in which I feel
2 comfortable, talking about roughly the '90's, that the
3 Republican party saw its future in attracting Southern
4 white votes.

5 MR. GEIGER: How about a lunch break?

6 (Recess taken.)

7 Q. (BY MR. GEIGER) Let's go to your supplemental
8 report, Exhibit 2, I think.

9 A. Yes.

10 Q. Your footnote one?

11 A. Uh-huh (yes).

12 Q. "Calling the Democratic Party the party of
13 Jefferson Davis is peculiar and unnecessarily
14 inflammatory." Would you consider Jefferson Davis a
15 white supremacist?

16 A. Oh, absolutely.

17 Q. And he was a Democrat, right?

18 A. Yep.

19 Q. And I think we talked about the passage in your
20 initial report describing the Democratic Party as the
21 party of white supremacy --

22 A. Correct.

23 Q. -- for at least the first half of the 20th

1 century?

2 A. Uh-huh (yes).

3 Q. I'm going to read the sentence that goes from
4 page one to two. "He states elsewhere that, quote,
5 'Race, of course, came to the forefront in the 1960's
6 in a way that severely tested the Democratic New Deal
7 coalition but did not produce an immediate move" --
8 this is yours -- "to the Republican party of any
9 durability,'" end quote. The next sentence, "Neither I
10 nor the preponderance of scholars of Southern politics
11 who look at the issue of race argue that the transition
12 was immediate. His report seeks to disprove this
13 faulty premise which, because it is so reductive and
14 simplistic, relieves him of the responsibility of
15 examining the deep historical and culture complexity of
16 Democratic Party allegiance stretching back to the 19th
17 century." Were there other places in his report that
18 communicated to you that Dr. Carrington believed that
19 the other side, including you, think the switch was
20 immediate?

21 A. Beyond what I have quoted here, no. I think
22 that that will -- you know, off the top of my head, if
23 I haven't included it here, then it might -- it might

1 be that sentence. In other words, he is trying to
2 disprove something that I never claimed.

3 Q. Or do you think it's possible that you and he
4 agree on that part of the story, that the transition
5 was slow and that he is not trying to characterize your
6 argument one way or the other?

7 A. Then I don't think -- if that is the case, I
8 mean, anything is possible. But I think he tries to --
9 he tries to disprove a claim that I do not make. I
10 don't -- I don't know what he believes or doesn't
11 believe, but I think he spends a lot of time saying,
12 well, because we see Democrats being elected here and
13 because Strom Thurmond is the only person who did this,
14 you know, therefore, this argument is unsubstantiated,
15 when in fact it's not an argument I made. So I feel
16 like he misrepresented what I said.

17 Q. The next paragraph beginning "His
18 mischaracterization," about three sentences in, "As
19 Jason Morgan Ward has argued, overt defense of white
20 supremacy per se receded around mid century to be
21 replaced by a defense of segregation and later by
22 racialized (though not explicitly white supremacist)
23 policy positions and politics." How do you define

1 white supremacy?

2 A. That's a good question. I would describe white
3 supremacy as a political position that predominates in,
4 among Democratic Party politicians, you know, fairly
5 explicitly, probably until passage of Voting Rights
6 Acts of 1965 when we see black voters entering the
7 political system and wanting to vote Democratic.

8 White supremacy, I think, involves more
9 than simply white -- maintaining white privilege or
10 protecting white interests. I think it is an over-
11 arching system of exclusion, a lack of rights, a belief
12 that black people are somehow not fully -- I want to
13 say not fully human, but characteristically different
14 from white people. And white supremacy is a system
15 that must be maintained both through law and also
16 through violence.

17 And so what I objected to was he ascribes
18 to me calling Nixon -- he uses -- the word "white
19 supremacist" as if I used that to describe Nixon. And
20 so I was objecting to that because I think white
21 supremacy in many ways begins to ebb from the scene in
22 the 1960's. And, you know, by the 1970's, I mean,
23 yeah, you will have people today who declare all of

1 those things that I just said, but you are not going to
2 see a party exposing them. So I'm thinking mostly of
3 sort of party positions.

4 Q. This Jason Morgan Ward story, he tells of white
5 supremacy to segregation to implicit racialized policy
6 positions. And I think he actually says racialized
7 policy positions, but then in parenthesis not
8 explicitly white supremacy. Do you think he would
9 define white supremacy perhaps a bit more broadly than
10 you to not -- so to be a little bit more specific, do
11 you think Ward believes that racialized policy
12 positions in the post segregation era are implicitly
13 white supremacists?

14 A. I can't say what he believes.

15 Q. Do you think that these racialized policy
16 positions are implicitly white supremacist?

17 A. No.

18 Q. Do you think that segregation is inherently
19 white supremacist?

20 A. Yes.

21 Q. Why?

22 A. Because it's a system, because it is maintained
23 not only through law but through violence, because it

1 rests on a belief about black people as fundamentally
2 -- not only deserving of equal treatment but in some
3 ways fundamentally different from white people in all
4 sorts of different ways.

5 Q. Why then aren't racialized policy positions more
6 implicit appeals not also at the core white
7 supremacist?

8 A. Well, I think the most obvious reason is they
9 are not going to be maintained through violence. If
10 someone doesn't agree or votes against or opposes
11 publicly -- opposes, you know, cutting welfare
12 spending, it's not bloody likely that there is going to
13 be a lynch mob. Right? There is not the fairly
14 explicit threat of maintaining that policy through
15 violence, and I think violence is really a key thing.

16 I mean, in the early part of 20th century,
17 white supremacist politicians were openly supportive of
18 extra legal violence, right, to maintain the system and
19 maintain their sense of superiority and their actual
20 superiority legally and politically and economically.

21 Q. So when it comes to that system of violence,
22 would you agree that that is behind us when it comes to
23 party positions?

1 A. Yes.

2 Q. And when do you think that ceased to be a part
3 of the political scene?

4 A. Yeah. Again, you know, individual -- I'm sure I
5 can find an individual who doesn't speak to this, but I
6 think beginning -- I would agree -- you know, I don't
7 completely agree with Ward, and I have to go back and
8 be more specific about him, his book here. But, you
9 know, I wrote about in the Dixiecrat book, you know,
10 the person who runs for the Dixiecrat president, you
11 know, the Dixiecrat candidates, Strom Thurmond, quite
12 explicitly speaks out against extra legal violence and
13 lynching.

14 And so I think, you know, because -- and
15 his reasons for doing it are not necessarily because he
16 values black life, but because modern societies don't
17 form lynch mobs and, you know, execute people outside
18 of the rules of law. So I would say, you know, World
19 War II is an important turning point.

20 Q. Okay. So even though these racialized policy
21 positions are no longer accompanied by the threat or
22 use of violence, do they still give priority to or
23 preference to white interests and white values?

1 A. Can you be more specific?

2 Q. I believe that when I first asked you to define
3 white supremacy, you said it's not just white
4 privilege?

5 A. Uh-huh (yes).

6 Q. Or even white victimization?

7 A. Uh-huh (yes).

8 Q. But these racialized policy positions, would you
9 define them as inherently about white privilege and
10 white victimization?

11 A. I would say very -- I don't know if I would say
12 primarily, but I think that is an important component.

13 Q. Of how they are racialized?

14 A. Right. And again, I think the key there also is
15 what are the implements used to enact these policies,
16 right? It's the judiciary. It's the federal
17 bureaucracy.

18 I think that's also important in terms of
19 how whites begin to see themselves as victimized
20 because a lot of -- again, a lot of the rights and
21 benefits and protections that marginalized people seek
22 are ultimately carried out through these different
23 mechanics of unelected people. Right? And I think

1 people like Wallace, Nixon, Ronald Reagan, they are
2 very adept at using that rhetoric of Wallace's. You
3 know, he is the originator, right? Of this, you know,
4 the bureaucratic elite, these unelected officials who
5 are forcing black students into your schools or forcing
6 black students into your neighborhoods.

7 And I think -- I think white voters, as I
8 say in my original report, can say on the one hand, we
9 believe -- we support the Civil Rights Act of 1964. On
10 the other hand, we feel like we are bearing the brunt
11 as they would define it, right, of the benefits and
12 advantages and then what have you, the rights being
13 afforded these people. They are coming into our
14 neighborhoods, they are coming into our schools. So,
15 therefore, we are -- we are the victims now.

16 Q. Do you think white southerners continue to think
17 of themselves as victims in the 1990's?

18 A. In what capacity?

19 Q. So, for example, with separation of powers or
20 federalism that perhaps white southerners would have
21 some contempt for the federal bureaucracy? Is that
22 because they were thinking of themselves as a white
23 victim?

1 A. I think that conservative ideology and that the
2 conservatism as was developed -- you know, largely
3 developed by Reagan and carried on by George Bush, drew
4 on what I would say sort of a broader sort of
5 conservative egalitarianism where they would talk about
6 equality of opportunity but not equality of results
7 because to get a quality of results requires the
8 mechanism of government.

9 And so when you say, well, we believe in
10 equality of opportunity and everything should be fair,
11 we see a lot more talk of fairness. Well, affirmative
12 action by working-class white people who maybe are in
13 the fire department or the police department, some of
14 these early places where affirmative action does start
15 to get in force, saw themselves as victims. It's not
16 fair. I didn't cause -- you know, I'm not a
17 segregator, right?

18 So, therefore, I think that that language
19 of fairness, that conservative egalitarianism, which I
20 think on its face ignores the fact of systemic racism
21 and systemic discrimination that has a long history
22 does allow a certain feeling of victimhood because in
23 many ways they are not wrong, right? Those policies

1 are being enacted in their place of work, in their
2 neighborhoods. Now how they should feel about that, of
3 course, is a different thing.

4 Q. On page four of your supplemental report, that
5 one sentence paragraph there in the middle, "Alabama
6 was a site of fervent progressive reform. Many of the
7 social and political reforms undertaken were driven or
8 warped by the desire to maintain white supremacy, but
9 they were considered progressive nevertheless."

10 A. Uh-huh (yes).

11 Q. What new deal programs did southern Democrats
12 have this fervent --

13 A. You mean progressive reforms?

14 Q. Yes. Thank you. I meant progressive programs.

15 A. Child labor, child labor reform. You know, the
16 turn of the century, it would be quite common to go to
17 a textile mill and find an eight-year-old, and textile
18 mills were exclusively loosely -- I hate to use that
19 word loosely -- for poor white people. They were
20 promoted as a way to uplift the white South to, you
21 know, help dirt farmers, white dirt farmers, right,
22 move into the industrial era.

23 And for a variety of reasons, progressive

1 reformers in Alabama focused on child labor reform,
2 that it's not good to -- not because childhood needs to
3 be protected. That's part of it. But because by
4 spending 12 hours a day in a mill, you are not going to
5 school. If you are not going to school, you are not
6 learning to read. If you are not learning to read, how
7 are you going to pass the literacy test? And how will
8 we preserve white democracy if we have this large
9 burgeoning politician -- or population of white
10 children who are going into industrial work? Right?

11 So race is never far from -- never far from
12 the surface. I would say prohibition would be another
13 one, that prohibition -- the one place where you would
14 find whites and blacks mixing regularly were in road-
15 houses, right? And at the cabins of bootleggers.
16 Well, how do you maintain that color line? You just
17 get rid of the -- you get rid of the source.

18 Q. Next paragraph, the sentence three lines up from
19 bottom, beginning "These two groups."

20 A. Uh-huh (yes).

21 Q. First, I should -- you define those groups as
22 southern white Democrats and African-Americans where
23 they could access the votes.

1 A. Right.

2 Q. "These two groups were far from equal partners
3 in this coalition." Do you -- and then I believe you
4 go to explain why for the rest of the paragraph. Are
5 you responding to a portion of Dr. Carrington's report
6 where you think he is saying that they are or they were
7 equal partners in that New Deal coalition?

8 A. I think he -- he is trying to make an argument
9 about the new deals focus on class. And because they
10 focused on class, you could have these groups with very
11 antithetical desires in a political party together.
12 And what I was saying here is that I think that ignores
13 the fact that, first of all, Southern -- white southern
14 Democrats, the New Deal wouldn't exist without them.
15 They crafted a lot of it, and they were -- if Roosevelt
16 didn't have their support, it would not have passed.
17 They would not have gotten anything.
18 As a result, the new deal is very -- its benefits, its
19 protections, excludes a lot of black people, right? So
20 it's not the new deal, and its measures did not support
21 working people equally. It was, you know, very heavily
22 weighted towards the white working class. They were
23 the beneficiaries.

1 So in other words, I was arguing that it's
2 -- you know, you can't look at the new deal and not
3 talk about race. And again, it's embedded in my larger
4 disagreement with him where he is trying to erase from,
5 you know, the early part of the century.

6 Q. Okay. Let's talk about that point specifically.
7 And can we go to his report real quick, Exhibit 3?

8 A. Uh-huh (yes).

9 Q. Page two, the second full paragraph beginning
10 with the word "first," looks like three sentences down
11 or so. "In that examination, I do note how pervasive
12 the issue of race was during the post Civil War and
13 early 20th century periods." Do you see that?

14 A. Uh-huh (yes).

15 Q. And skip to page six, first little paragraph,
16 third sentence after footnote 16. "And race did play
17 an out-sized part through a significant portion of
18 Southern political history." Skip two sentences. "In
19 this instance, race and its institutionalization in
20 slavery or later in segregation, overwhelmed other
21 factors that might have undermined this majority
22 faction and created fluid coalitions." And a little
23 bit further down in that paragraph, beginning with "The

1 issue of race." "The issue of race was perpetuated by
2 voter suppression and Jim Crow segregation in the post-
3 reconstruction South as well." And the last sentence
4 of the paragraph, "Therefore, the preceding points must
5 be seen and acknowledged as deeply influential on
6 Southern politics in the 19th and early to mid 20th
7 centuries." Do you still hold that Dr. Carrington was
8 trying to erase race from the --

9 A. I do because, first of all, he says the
10 progressive -- it doesn't in the South, which is not to
11 be mean, absurd. I mean, it's one thing -- I mean, if
12 he would have said segregation disenfranchisement
13 didn't happen, I think he gives us the baseline. But
14 when he gets to specifics and he is trying to make his
15 arguments about class, in the specifics, he ignores it
16 completely.

17 So I think it's one thing to say yes, there
18 was disenfranchisement and segregation. It is quite
19 another then to say but there was no progressive
20 movement and the new deal was wholly about class and
21 ignore how race was embedded in both of those things.
22 They can't both be true.

23 Q. Could you say that last part one more time?

1 What can't both be true?

2 A. You can't both say that segregation and -- you
3 know, segregation and disfranchisement as -- he
4 acknowledges that they exist, but then when he is
5 looking at particulars of sort of political activity
6 like the new deal, all he sees is class. And, of
7 course, like I said, he doesn't think it existed at all
8 in the South.

9 Q. Let's look at page five of your supplemental
10 report under -- actually continuing with this theme of
11 class versus race or class and race. The paragraph
12 under heading three, the last sentence of that
13 paragraph, "Any conflict between the Democratic Party
14 nominees and white working-class voters was not based
15 on any lack of support for working-class issues."
16 Would white working-class southerners have felt just at
17 home within the Democratic Party of 1972 as within the
18 Democratic Party of the '30's, '40's and '50's?

19 A. Okay. Sorry. It took me a while to get to the
20 sentence. "Any conflict between the Democratic Party
21 nominees and white working-class voters was not based
22 on any lack of support for working-class issues." If
23 what we are talking about -- so you are saying -- I'm

1 sorry. Repeat your question.

2 Q. Would white working-class southerners --

3 A. Uh-huh (yes).

4 Q. -- have felt just as home within the Democratic
5 Party of 1972 with McGovern as within the Democratic
6 Party of the '30's, '40's and '50's?

7 A. If all they were concerned about were how the
8 leaders of those parties or the national parties dealt
9 with labor issues, then they should have been. What
10 I'm saying here is that that was not the issue that was
11 driving them away. If you look at you Hubert
12 Humphrey's voting records, if you look at McGovern's
13 voting record, they have, you know, from whoever
14 measures those things. I think the unions, you know,
15 like the NRA gives out voting records from people who
16 support gun rights and all of that. Labor unions did
17 likewise.

18 Both these guys are almost 100 percent.
19 Right? Everything that labor -- and here I am, I'm
20 talking about organized union labor because they were
21 the ones that were sort of -- they were kind of the
22 mouthpiece, right? Everything that labor wanted in
23 terms of sort of bread and butter issues, right?

1 Humphrey and McGovern gave them.

2 Q. Right.

3 A. Right? And so, you know, I am explicitly
4 countering his argument that why working-class people
5 started leaving the Democratic Party was because some
6 small group of left wing intellectuals were calling
7 them racist. First of all, there is no basis in fact
8 for that. And in terms of who actually held power in
9 '68? It was labor. They were the biggest voice in the
10 room.

11 Q. What about '72 with McGovern?

12 A. Uh-huh (yes). '72 is a problem. McGovern has a
13 very strong record, but he is against the war. He is
14 much more liberal on social issues than is Hubert
15 Humphrey, and honestly, a lot of those issues hadn't
16 really percolated to the surface in '68 the way they
17 did by 1972, things like abortion and women's rights
18 and sexual liberation and all of that. I don't know
19 how Humphrey would have responded to that, but that's a
20 counter factual.

21 And so for working-class people who -- you
22 know, and by '72, as I already indicated in terms of
23 party rules, stronger participation by women, by young

1 people, by black voters. You know, we're also how many
2 years down the road? We are now into a period of
3 busing. The Democratic Party for all of the concerns
4 about busing, they do support it in their platform.

5 So there are -- you know, it's not -- it's
6 not economic issues on their face that are driving
7 working-class people away. It's racial issues, and
8 it's cultural issues. And those things often combine.

9 Q. So some of those cultural issues that you
10 mentioned that could happen likely did drive white
11 southern working-class voters away, would have been
12 abortion and women's rights and the Vietnam war,
13 position of the Democratic Party, sexual liberation,
14 things of that nature?

15 A. Yeah, uh-huh (yes).

16 Q. And those are related to race?

17 A. Yes.

18 Q. Okay. On page six, please, that first full
19 sentence on the top of the page. "Although the
20 numerous groups that made up the New Left coalition
21 would eventually help shape the Democratic Party agenda
22 after 1968, the first major fracture with electoral
23 impact at the presidential level came about as a result

1 of civil rights legislation and George Wallace's third
2 party candidacy." And I will mark and publish exhibit
3 -- be No. 6.

4 (Defendant's Exhibit 6 was marked for
5 identification.)

6 Q. (BY MR. GEIGER) Do you recognize this book and
7 the chapter 12 that I have excerpted?

8 A. I do.

9 Q. Could you tell me what it is?

10 A. This is an edited volume of topics in Southern
11 history in which I was invited to participate and
12 contribute a chapter on political history in the 20th
13 century.

14 Q. It was published last year?

15 A. Sorry. And it was published last year,
16 University of North Carolina Press.

17 MR. BLACKSHER: What's the number? Exhibit
18 what?

19 MR. GEIGER: This is six.

20 MR. BLACKSHER: Thank you.

21 Q. (BY MR. GEIGER) There are no page numbers
22 unfortunately, so just turn the page once to the page
23 opposite of George Wallace's face.

1 A. Uh-huh (yes).

2 Q. The very top sentence of that page, "After
3 1968."

4 A. Oh, sorry. Which one? Top sentence of which
5 page?

6 Q. Flip one more.

7 A. Okay.

8 Q. "After 1968," very top.

9 A. Yeah.

10 Q. "After 1968, the national Democratic Party
11 underwent a transformation, becoming more liberal with
12 stronger representation among previously under-
13 represented groups. The party staked out progressive
14 positions on women's rights, particularly support for
15 the Equal Rights Amendment and the support for a
16 women's right to terminate a pregnancy that were at
17 odds with many culturally conservative white voters in
18 the South." Within the fractures of the Democratic
19 Party of the late '60's and early '70's, would you
20 agree that the New Left or the liberal reform that we
21 are talking about is the one that had a lasting and
22 defining impact?

23 A. Lasting and defining impact on what?

1 Q. On the Democratic Party, the national Democratic
2 Party.

3 A. More lasting and defining than the civil rights
4 movement? No.

5 Q. Than, for example, George Wallace's third party
6 candidacy in 1968?

7 A. No.

8 Q. It would not have -- it would not be the
9 lasting --

10 A. It wouldn't -- it wouldn't be more -- it is
11 lasting. It has had an impact. Is it more important
12 than the Civil Rights Act of 1964 and the Voting Rights
13 Act of 1965? I would think not. And again, as I have
14 said many times, right, I think these things are --
15 it's very hard to separate them. Right? One draws
16 upon the other.

17 Q. On page six of your supplemental report, the
18 part we just read -- sorry, of your supplemental
19 report. The part we just read, would you say the first
20 major fracture with electoral impact at the
21 presidential level came about as a result of civil
22 rights legislation and George Wallace's third party
23 candidacy? And then elsewhere I think we have already

1 spoken about Wallace, but you wrote that he was the
2 most consequential politician in Alabama in the second
3 half of the 20th century.

4 A. Okay.

5 Q. Do you believe that George Wallace's third party
6 candidacy and his presence on the political scene had a
7 greater lasting impact for the Democratic Party than
8 did the New Left, the New Left's rise?

9 A. Only insofar as I think Wallace created a
10 playbook that was adopted by Richard Nixon and others.
11 So I think in many ways, his impact was greater on the
12 Republican Party. You know, the -- he gave them a
13 language by which to, I think, overcome the long
14 historical antipathy towards the Republican Party.

15 But in terms of why his candidacy is
16 successful, which is based on his, you know, opposition
17 to the Voting Rights Act and the Civil Rights Act. And
18 his -- you know, to a lesser degree, his opposition to
19 anti-war protesters, I think that -- that has -- that
20 has a greater impact. And that is only, you know,
21 accelerated by the incorporation of the needs, wants,
22 desires of marginalized groups.

23 Q. On Dr. Carrington's report, Exhibit 3 again.

1 A. That's me. Okay.

2 Q. Bottom of page ten, the sentence three lines up
3 beginning "The New Left would move." "The New Left
4 would move the Democratic Party's coalition to include
5 more college-educated voters and to focus more on non-
6 economic issues of gender, race, the environment, gun
7 regulation and other matters." Would you agree with
8 that? It appears to be fairly similar to what you
9 wrote in the chapter submitted for a new --

10 A. I am troubled by non-economic because I think a
11 lot of the gender issues, a lot of the racial issues
12 have to do with employment.

13 Q. Other than that characterization of those issues
14 as non-economic, would you agree that that's what the
15 New Left emphasized and focused on?

16 A. I mean, I don't know about environment, gun
17 regulation, and, you know, I'm not -- I'm not versed in
18 those issues in the political environment. So it
19 sounds -- it sounds fine.

20 Q. The next sentence, "Working-class voters would
21 remain in the coalition but with increasing unease and
22 decreasing numbers. For in these developments, a
23 growing section of the Democratic Party would expand on

1 C. Wright Mills' implicit critique of the working
2 class, arguing in more explicit terms that it
3 perpetuated the forces of oppression on issues sex,
4 sexuality and race." Do you disagree with the latter
5 two sentences that I just read?

6 A. Yes, mostly because I think the idea that
7 everybody reading C. Wright Mills and pointing fingers
8 at them and saying the white working class are sexist
9 and racist and all of that. I think -- I think it's --
10 I won't say ridiculous. I think it's overblown, and I
11 think if in fact one of the -- I can think of an
12 example that implicitly, I think, counters that, which
13 is, let's say, women's rights, the right -- you know,
14 equal employment opportunity but also issues of daycare
15 and government-funded daycare. That goes explicitly to
16 questions of class. Right?

17 It's one thing to have a right, which is
18 the right to work and the right to compete in the labor
19 market. It's quite another thing to be able to do
20 that, and women's groups took on that challenge by
21 advocating for government-funded daycare so that
22 working-class women can also have that opportunity. So
23 I would say, you know, at least in that specific, I

1 think he is wrong.

2 Q. Do you think generally that working-class voters
3 felt an increasing sense of unease with the direction
4 of the Democratic Party in the 1970's?

5 A. I think that's probably electorally proven,
6 yeah.

7 Q. Yes.

8 A. Now the source of that, I think probably --
9 Carrington and I would probably disagree with that.
10 But, yeah. I think the numbers bear that out.

11 Q. I guess that would go to the last phrase of the
12 excerpt from "A New History of the American South" that
13 I read, which is that these issues of the New Left were
14 at odds with many culturally conservative white voters
15 in the South.

16 A. Uh-huh (yes).

17 Q. Hence, their unease?

18 A. Well, I mean, okay. But culturally conservative
19 white voters is not necessarily always working-class
20 voters. I would, you know, just take pains to point
21 that out.

22 Q. Understood. The section "Anticommunism" a
23 little bit further down the page on page six in your

1 supplemental report.

2 A. Yes.

3 Q. The middle sentence of that first paragraph
4 reads, "He grounds white southerners' anticommunism in
5 their religiosity but very quickly dismisses the long
6 history of the linkage between race and anticommunism
7 -- a history that stretches back to 1919." How does
8 the linkage stretch back to 1919?

9 A. It stretches back to the -- and here, I'm
10 talking about just the linkage of race and
11 anticommunism or communism nationally, not just
12 confined to the South. But in 1919, there was a race
13 riot in Chicago in which J. Edgar Hoover, the FBI,
14 local officials said this was the result of communist
15 infiltration and agitation as opposed to, you know,
16 something else. Right? Local conditions.

17 Q. The last complete sentence of this page, "A
18 history exists of communists fighting for racial
19 equality and workers' rights in America" --

20 A. Alabama.

21 Q. Sorry, thank you. In Alabama. And then just
22 keep reading. "In the 1930's, the Communist Party
23 organized black sharecroppers into a union." And then

1 skipping a sentence, "More famously, lawyers with the
2 Communist Party's International Defense fund defended
3 the Scottsboro boys." Are you saying that the
4 segregationist and white supremacist view of communism
5 as intertwined with civil rights was not entirely
6 unfounded, that there actually was a connection between
7 communism and civil rights efforts?

8 A. I think that -- yeah. I would think that that's
9 accurate, although I would pause to say that that is an
10 uneasy relationship in that the Communist Party doesn't
11 really see race as a thing and that ultimately the
12 black workers are simply workers and that they are
13 under class oppression.

14 So that relationship between communists and
15 black southerners is problematic in terms of communism
16 theory and what black southerners are seeking to
17 achieve. I would also point out that when accused
18 of -- you know, these were the only people who came to
19 support them. So, you know, they were going to take
20 that help. So I don't think you can then say, well,
21 the Scottsboro were communists. But the Communist
22 Party was a loud voice in the South, fighting for, you
23 know, racial equality, but really what they see as more

1 of a class struggle on behalf of the most disadvantaged
2 workers, which are black workers.

3 Q. Is it possible that some of what you attribute
4 to racial resentment could have been a legitimate
5 concern about Communism infiltrating the South?

6 A. I -- no.

7 Q. Why not?

8 A. I don't think they understood it. I think the
9 -- yeah, no. And I also don't think you can separate
10 concerns about racial equality and separate out what we
11 are just really worried about communism. Communism --
12 you know, communism's involvement in the South was
13 almost always focused on helping black people.

14 Q. Still on page seven in that top paragraph, a
15 little over halfway down after footnote 19. "From the
16 1930's forward then, the term "communist" was
17 associated with any entity that appeared to threaten
18 the region's rational or industrial status quo." From
19 the 1930's forward, is that until as recently as today?

20 A. Again, I'm not going to comment on today,
21 although I did include a quote from Senator Tuberville
22 just to show that it is still present. But I think,
23 you know, throughout much of the 20th century that

1 communism and whether -- you know, which then becomes
2 used interchangeably with socialism is anything that
3 disrupts, yes, the status quo. I think that's fairly
4 -- I think that's fairly well documented.

5 Q. How do you take into account the Cold War and
6 there actually being a communism or perceived communist
7 threat to American freedom, American democracy?

8 A. Because I think one is an international threat,
9 and I think that threat is very real and in many ways
10 existential. I think the documentation of communist
11 activity in the United States, you know, starting in
12 the 1940's is pretty minimal, under attack. Most
13 liberal organizations purged their communism members
14 simply so they won't be attacked. And so the domestic
15 threat of communism and communism infiltration is
16 completely overblown, and there is no evidence for it.

17 And if we are talking about sort of major
18 organizations seeking change on behalf of working-class
19 people like the CIO or, you know, civil rights
20 organizations, can we find communist people who believe
21 in communism in those organizations? Probably. But
22 after a certain amount of time, they were kept at arm's
23 length.

1 Also, you know, the rights and protections
2 they are trying to acquire and achieve are things like
3 evolution of the poll tax. It's hardly, you know,
4 hardly the harbinger of a soviet state. So, yes.
5 Communists are here. They exist. They work in these
6 organizations, but they in no way, shape or form
7 dominate any movement for change in the South
8 without -- you know, and when they do, right, they are
9 pretty much destroyed like the sharecroppers' union.

10 Q. You mentioned Tuberville. I couldn't get that
11 link to work, the link to footnote 20, msn.com. It
12 says the video is no longer available. So I went and
13 searched for the quotation. I think I found something
14 close or perhaps even the very one, and I will insert
15 this as -- or mark and publish this as Exhibit 7.

16 (Defendant's Exhibit 7 was marked for
17 identification.)

18 Q. (BY MR. GEIGER) First, before I read from this
19 piece, I will read the portion from your report where
20 you quote Tuberville. "Within the past year, U. S.
21 Senator from Alabama Tommy Tuberville grounded his
22 fight to put a hold on military promotions until the
23 military changed its policy regarding access to

1 reproductive care for female service members in the
2 notion that providing abortion access to female
3 soldiers was communistic." On this -- in Exhibit 7, it
4 would be about five paragraphs down, beginning
5 "Tuberville continued."

6 A. Uh-huh (yes).

7 Q. "Tuberville continued, 'They voted Pentagon
8 abortion policy through Congress in 1984. But in 2023,
9 they want to change it with a memo from the White
10 House. We are not a communist country. Everything
11 that makes policy and law goes through Congress. And I
12 told them, if you change it I'm going to block your
13 admirals and generals.'" Communism is a political
14 regime, right?

15 A. It's a political system, yes.

16 Q. In this context, do you think that Tuberville's
17 statement is a criticism of the White House's executive
18 action as reflecting features of the political system
19 that he disagrees with?

20 A. I think it is a word that he is using in a
21 particular context, and you have to pay attention to
22 that context. And that context is allowing women who
23 are in the armed forces, which, you know, I don't know

1 about what -- what purview the chief -- commander in
2 chief has over certain types of policies. Maybe he can
3 change it with a memo. Maybe they did have a policy
4 that was voted on by Congress, but maybe that policy is
5 amenable to change by the White House. I don't -- I
6 don't know all that, but I don't think we can ignore
7 the fact that what he is talking about here is women's
8 access to reproductive care.

9 You know, I don't think you -- simply
10 because he is using the word "communism" to describe an
11 action by President Biden, I don't think you can look
12 at that outside of what he is complaining about, and
13 it's about women's access to reproductive care, which
14 is what he doesn't like. He doesn't want these women
15 to have access to abortion services. I don't think he
16 is necessarily talking about the action of the
17 President. He is talking about the action of the
18 President in service to these women.

19 Q. He is not explicitly saying that though, or he
20 is not --

21 A. But that's the issue he is choosing to -- you
22 know, it's the hill he is going to die on.

23 Q. Unless Congress changes the law?

1 A. Unless -- unless whatever policy goes through
2 whatever channel he says it needs to go through. And
3 apparently as a senator, right, he had the right to
4 hold up this process. As far as I know, I don't know
5 -- and I can be wrong. I didn't see anybody else
6 complaining about that policy change.

7 Q. Would you consider his use of the phrase
8 "communism" in the quote that I found or "communistic"
9 in what you found as implicitly racial?

10 A. I think it's implicitly ridiculous. I think --
11 I think, first of all, it's just -- I mean, if we are
12 playing the game of, you know, is -- if we -- if we
13 take him at his word, right, that he feels like -- if
14 the President is acting in an antidemocratic way, I
15 think the term that he should use is authoritarian. I
16 think communism is -- it's not even the right word to
17 use in this situation.

18 So I guess my point is he doesn't even know
19 what it means. He knows that -- but he is using it
20 because it has historical connotations, and that
21 connotation by this time has gotten to the point where
22 it's anything I don't like. And in this case, access
23 to abortion services.

1 Q. And historical connotations are racial?

2 A. Yes. I don't think there is any doubt about
3 that, at least not in my mind.

4 Q. And section two, "The Role of Class and Reagan's
5 Economic Policy" on page seven of your report.

6 A. Yeah.

7 Q. The second paragraph, and second sentence of the
8 second paragraph, "What we do know is that Southern
9 members of Congress were lukewarm towards Reagan's
10 free-market ideology." And then a couple of sentences
11 later, the last of the paragraph, "Southern lawmakers
12 were hostile to Reagan's attack on price supports for
13 farmers, and white rural voters recoiled at the
14 President's attack on rural electric cooperatives."
15 First, what Southern members of Congress are
16 you referring to or do you -- Democrats?

17 A. Boll weevils. Democrats, yes, but who, you
18 know, probably -- I don't know their voting records in
19 the election, but they may have voted for Reagan. They
20 liked Reagan. A lot of his policy, they were attracted
21 to.

22 But this, I mean, Dr. Carrington was making
23 a point that it's Reagan's -- you know, let the free

1 market sort out all of these economic issues and that
2 that was -- that is why white Southern voters -- or he
3 doesn't say white. He just says Southern voters voted
4 for Reagan. I think it's simply not proven by the
5 facts or by the evidence.

6 Q. Is your position that these Southern white
7 voters or rural -- anyway, Southern white voters voted
8 for Reagan despite disagreeing with some of his free-
9 market ideology so it must have been because of race?

10 A. I think it's because of other things. I think
11 free-market ideology, if you are a rural -- you know,
12 if you are a farmer, you don't want to be thrust in the
13 free market. It did not meet their economic needs.
14 Right? They would have been swallowed up by it. They
15 require federal subsidies. They have had them since
16 the 1930's. And so I'm not saying it must be because
17 of race, but it's certainly not because of free-market
18 ideology.

19 Q. Then what might it have been because?

20 A. It could be a lot of things. Again, it could be
21 his anticommunism, but again, that comes with a lot of
22 historical baggage. It could be because, you know, the
23 quote, unquote, "family values," but again, that comes

1 with racial historical echos. But he is -- he is
2 trying -- Carrington is trying to divorce race from a
3 lot of these issues, and I'm saying you can't do that,
4 nor has he provided evidence. And if he has it, that's
5 fine, that everybody was all for the free market, and
6 that's why, you know, people voted for Reagan. So the
7 evidence just simply doesn't support that. I mean,
8 there is a lot of places where conservative Southern
9 Democrats, who in many ways found Reagan attractive,
10 where they battled with him.

11 Q. And other places they agreed?

12 A. Uh-huh (yes), and sometimes he disappointed
13 them. Right? They were more conservative than he was
14 on a lot of issues.

15 Q. The last paragraph on this subsection number two
16 on page eight begins, "As far as metropolitan growth
17 goes, Birmingham and Huntsville seem to contradict
18 Dr. Carrington's argument that such growth was tied in
19 with Reagan's anti-statist free-market ideology." I
20 didn't see where Carrington made the point that the
21 growth was tied in with the free-market ideology. Do
22 you mean by that that the free-market ideology was a
23 source of the growth?

1 A. I think so, yeah.

2 Q. You think that's what Carrington was arguing?

3 A. I believe so.

4 Q. Can we go to page 25 of Dr. Carrington's report?

5 The first full paragraph, pretty much the very middle
6 after the words "20th century." "The South began a
7 period of sustained economic growing that continues to
8 this day."

9 A. I'm sorry. Where are we? We are on page 25?

10 Q. The first full paragraph.

11 A. First full paragraph.

12 Q. And pretty much the middle sentence but
13 beginning after the words "20th century." So the
14 sentence begins "The South began."

15 A. Oh, okay. Sorry. Thank you.

16 Q. "The South began a period of sustained economic
17 growth that continues to this day. A new vibrant
18 middle class arose." And then skipping to the
19 beginning of the next paragraph, "This growth in jobs
20 and other opportunities accelerated migration from
21 other parts of the country to the South. These new
22 southerners overwhelmingly consisted of white-collar
23 workers who already formed a foundational component of

1 the GOP elsewhere. Economic development of a rising
2 middle class continued to accelerate GOP gains in the
3 South in the 1980's during the presidency of Ronald
4 Reagan." It seems to me that Dr. Carrington is just
5 stating that the growth occurred during Reagan's
6 presidency, not necessarily that free-market ideology
7 spurned the growth.

8 MR. BLACKSHER: Object to the form.

9 Q. (BY MR. GEIGER) It wasn't a question. Do you--

10 A. I would go and look at the first sentence of the
11 first paragraph "as an economic program of free markets
12 and a political philosophy of smaller government took
13 hold within the GOP, certain developments in the South
14 made those positions even more attractive." And so I
15 think he is implicitly making a connection between
16 economic growth and free-market ideology that I don't
17 think -- I don't think he has made his case.

18 Especially if the areas that are growing, places like
19 Huntsville. I mean, he could -- he could talk about
20 Reagan's role in defense spending. That would, you
21 know, be a stronger argument it's not a free-market
22 ideology. So I think his cause and effect are wrong.

23 Q. Let's publish a batch of three exhibits at once.

1 I think my final three. Eight, nine and ten.

2 (Defendant's Exhibits 8-10 were marked for
3 identification.)

4 A. I haven't seen this in a while.

5 Q. (BY MR. GEIGER) Here is ten.

6 A. Okay.

7 Q. Exhibit No. 8, do you recognize this cover?

8 A. Yes, I do.

9 Q. What is this?

10 A. First of all, it's a great photograph. I think
11 that shows the cover of my book. This is the cover of
12 my second monograph, Cold War Dixie, published in 2013
13 by the University of Georgia Press.

14 Q. I apologize for the lack of page numbers, but if
15 you could go to the second to the last page.

16 A. Yeah.

17 Q. The second paragraph begins, "Much of the
18 impetus."

19 A. Sorry. Second to the last page? Sorry, yes.

20 Q. "Much of the impetus behind the growth of the
21 Republican Party was the particular economic change
22 that accompanied the Cold War. Between 1950 and 1970,
23 90 percent of growth in employment in industry in the

1 South took place in high-wage industries, many of them
2 considered part of the military-industrial complex.
3 These white-collar employees, housed in expanding urban
4 and suburban areas, increasingly identified their
5 economic interests as resting with the Republican
6 Party."

7 A. Uh-huh (yes).

8 Q. And then on the opposite page, the second full
9 paragraph, the first sentence, "The expanding
10 metropolitan areas were the source of the reborn
11 Republican Party." Do you have any reason to doubt
12 that like in South Carolina, which I believe is the
13 focus of parts of your book, the Republican Party in
14 Alabama made the most durably gains in metropolitan
15 areas?

16 MR. BLACKSHER: Object to the form, unless
17 you want to specify the timeframe.

18 A. Yeah. What timeframe?

19 Q. (BY MR. GEIGER) During the same time frame that
20 the Republican Party made the most durable gains in
21 metropolitan areas.

22 A. Between 1946 and 1963?

23 Q. No. I believe even after that, between 1950 and

1 1970 during the period in which 90 percent of growth in
2 employment in industry in the South took place in these
3 high wage industries, many of them considered part of
4 the military industrial complex.

5 A. What I would say is that -- let me just read
6 this over. I think much of the impetus, I think for
7 the area that I'm -- in South Carolina, which is
8 heavily militarized in terms of its economy, I think
9 that's very much true. I think slightly less true for
10 other parts of the South, but I think a lot of the
11 growth was -- I don't -- I'm not discounting that a lot
12 of the growth was driven by the Cold War, and that
13 along with a certain amount of that growth comes
14 Republican Party affiliation. But that was never going
15 to be -- I don't think that that necessarily discounts
16 the other half of that point, which is that Republican
17 Party becomes viable and ultimately dominant because
18 it's able to attract other voters, not necessarily
19 involved in the Cold War economy.

20 I don't discount Republicanism as a result
21 of economic change and new opportunity, and I spent a
22 lot of time talking about this area of South Carolina
23 that becomes sort of the origin in many ways of local

1 Republican activity. But I think later, I do say but
2 for the party to become viable, you know, we don't
3 really see that until, again, after the mid 1960's and
4 Civil Rights Act of '64. Voting Rights Act of '65
5 played a key role in that.

6 Q. Let's go to Exhibit 9, which I passed out as
7 well. Do you recognize this?

8 A. Barely. It's been a while, but yes. This is an
9 essay I was asked to write for a collective volume, an
10 edited volume published by University of Massachusetts
11 Press. I think a lot of it was probably based on
12 research I was doing for Cold War Dixie.

13 Q. I'm going to read kind of a lengthier excerpt at
14 the very beginning, starting at the very beginning of
15 the piece. "In 1956, William Faulkner lamented that
16 agriculture no longer stood at the center of the
17 southern economy. 'Our economy,' he remarked, 'is the
18 federal government.' Beginning in the immediate post-
19 World War II era, the region that once had been
20 dominated by cotton fields, tenant shacks and textile
21 mill villages was rapidly giving way to defense
22 installations, aerospace engineering facilities and
23 suburbs. Within three decades, federal spending

1 changed the South's economic base and demographics to
2 such a degree that by the early 1980's, the region that
3 President Franklin D. Roosevelt had once identified as
4 the nation's number one economic problem had become one
5 of the nation's leading industrial producers. Much of
6 this federal spending was filtered through the rapidly
7 expanding military-industrial complex necessitated by
8 the Cold War. Consequently, although federal dollars
9 constituted the engine that drove change in the South,
10 the direction and shape of change was very much
11 determined by the various corporate entities that moved
12 south in the 1950's and '60's to capitalize on this
13 federal largesse."

14 "To date, studies of the impact of the Cold
15 War on the American South have been largely confined to
16 examining the complex impact of anticommunism on
17 southern politics and the budding civil rights
18 movement. Anticommunism poisoned the local political
19 well and fueled the massive resistance movement, making
20 even the most tepid statement on racial progress by an
21 elected official a sure road to political oblivion.
22 But the Cold War contributed more than just toxic
23 anticommunism to the South's political landscape."

1 "The economic and demographic impact of the
2 military industrial complex throughout the region was
3 profound. The development of new aerospace facilities
4 around Atlanta, the growth of the space industry in
5 Huntsville and on the east coast of Florida, the
6 development of the Research Triangle in North Carolina
7 and the proliferation of military contracts generally
8 brought thousands of new, highly educated workers to
9 the region. Many of these new workers brought their
10 Republican politics with them. At the very least, few
11 possessed the historically based, reflexive support of
12 the Democratic Party on matters of race that had
13 plagued the South since the turn of the century.
14 Unencumbered by the region's historic hostility to the
15 Republican Party, these Cold War immigrants became the
16 foot soldiers in the creation of a modern civic
17 politics and of the two-party system in the South."

18 I think there is one more shorter quotation
19 I wanted to read. This is on page 372 at the second
20 full paragraph, very beginning of it. "Political
21 scientists have noted how, in the post-war era,
22 residents of the urban and suburban South gradually
23 began to identify their economic interests as resting

1 with the Republican Party." And then on page 376, "The
2 onset of the Cold War," this is right after the section
3 break. "The onset of the Cold War and the disbursement
4 of billions of dollars in federal funds through the
5 military industrial complex transformed regions of the
6 American South in countless ways. In the once sparsely
7 populated, mostly rural region of western South
8 Carolina, the arrival of thousands of highly educated
9 scientists and engineers heralded the beginning of a
10 process to break down the political parochialism of the
11 South. Just as New Deal labor legislation initiated
12 the decline of the South's economic isolation, so too
13 did the influx of the corporate Cold War foot soldiers
14 mark the beginning of the end of the South's political
15 isolation."

16 And on page 377, the final couple of
17 sentences, "The result was a more modern South. The
18 efforts of plant employees to create a viable
19 Republican Party laid the critical groundwork for a
20 two-party system in a region that had not known true
21 political competition since the 19th century. The
22 creation of a more Democratic, competitive political
23 system in which the local Republican Party drew on

1 themes resonating in communities around the nation
2 ultimately made the South less peculiar and more like
3 the rest of the country." Thanks for bearing with me
4 there.

5 A. She is really good. Who wrote that?

6 Q. Do you still hold these views that I have read
7 and that you articulated in this piece?

8 MR. BLACKSHER: Object to the form because
9 it is extremely complex, but go ahead.

10 Q. (BY MR. GEIGER) Do you disagree now with
11 anything I just read?

12 A. No. But I think it bears -- I think it bears
13 emphasizing that what I don't say is that it was --
14 that these new transplanted southerners or transplanted
15 people in the case of Aiken made Republicans -- it
16 tells a part of the story. And I don't necessarily
17 disagree with those parts of Carrington's report that
18 says, yes, Eisenhower does make gains in certain parts
19 of the South. And I think Cold War Dixie is part of
20 that story.

21 I think the area that I'm looking at has --
22 you know, you always have to look at particular
23 political cultures and populations and histories. But

1 I would also say, as I do later in the book -- and I
2 can't simply remember because it was ten years ago.
3 But that, you know, as in Alabama, the Republican
4 Party's growth is not -- you know, they started it,
5 right, and they were very active. But they didn't
6 become the dominant party because of the Savannah
7 riverside. Republican party becomes the dominant party
8 in South Carolina and Alabama and elsewhere because of
9 the Democratic Party's embrace of civil rights
10 initiatives. So I don't discount their activity. I
11 think the most interesting story is how do all these
12 groups work together? That goes beyond the purview of
13 our discussion here.

14 Q. Finally, Exhibit 10, do you recognize this
15 piece?

16 A. Okay. I think so. So this was -- I was asked
17 to read -- I think this is a response to a book about
18 -- if I'm not mistaken, a book about Vietnam and the
19 Vietnam war and the South. And I believe I was part of
20 a round table that, you know, you read these books and
21 then everybody kind of has their particular take on
22 some element. It's sort of like a discussion, but in
23 written form. And so once again, this looks at my

1 study of the area around the Savannah river plant.

2 Q. I'm just going to read a few sentences of this
3 one. Very bottom of the first page, the last sentence,
4 "The relationship between southern states and the
5 national security state was strong and vital." The
6 next page, "Having spent the better part of the last
7 ten years examining how decisions regarding the
8 expansion of the arms race affected southern
9 communities, I would argue for a further refinement of
10 this position. Military contracts and Cold War
11 industrial facilities brought more than jobs. They
12 possessed the power to remake entire regional
13 economies, bringing the fruits of modernization that
14 had alluded the South for so long."

15 And the last two sentences of that
16 paragraph, "The arrival of the military industrial
17 complex into underdeveloped southern communities helped
18 the region to overcome some of its more unsavory
19 regional attributes. The Cold War made the South less
20 Southern." What are some of those unsavory regional
21 attributes that you are referencing there?

22 A. Oh, I mean, I would have to think about this for
23 a moment and think about where my head was at this

1 time. But I would say primarily it's, you know, one
2 crop agriculture reliance on cotton and everything that
3 came with it, including sharecropping and tenancy.
4 Unsavory regional attributes.

5 Q. Do you think the arrival of --

6 A. I think also it's colloquialism, right? When
7 you have 10,000 highly educated engineer, scientists,
8 physicists, what have you, coming to a very rural,
9 mostly rural part of South Carolina, it breaks down
10 some parochialism. And I think that's actually where I
11 got the quotation and the title from was from my
12 husband's uncle who was a mill worker living in this
13 region. And he said, you know, when the bomb plant
14 people -- they call it the bomb plant. When they came
15 in, they brought grocery stores. They brought
16 different kinds of churches. They brought -- basically
17 they brought -- they brought a more cosmopolitan way of
18 life, and they made us into what he called a
19 respectable era.

20 I would also say if we could kind of go
21 back to the former question about defense spending or
22 whatever. I think it's important to note, you know, in
23 the context of our discussion about, you know, how

1 terms like anticommunism are -- you know, have racial
2 echos in them.

3 I don't think we can ignore the role of
4 Strom Thurmond in this story, right? Strom Thurmond is
5 all over the Savannah Riverside. It's in his home
6 area. He is very involved with lots of things related
7 to it, and he is a very human connection to -- you
8 know, this time still the segregationist present. And
9 so while -- so I don't think we can ignore the sort of
10 human connections that sort of wed those two things
11 together.

12 Q. Do you think the arrival of GOP voters from the
13 North helped drive a wedge into the racial attitudes of
14 the South in these areas?

15 A. A wedge in terms of that they weren't
16 segregationists?

17 Q. Yes, and helped to break down some of those
18 racial attitudes.

19 A. I think a couple of things. First of all, I
20 think a lot of them -- well, some of them came as
21 Republicans. Others of them, as I explained in the
22 book, got active in the Republican Party because that
23 was the only place they could gain a foothold. And so

1 it became sort of a way for them to become civically
2 active because the Democratic Party wasn't open to
3 them. Right? They were already people in line for
4 posts. It was the closed club.

5 So part of it was simply -- it was
6 functional, right? From terms of segregationist
7 attitudes, I think in places like Aiken -- and again,
8 Aiken is a special place, right? I mean, it's -- I
9 don't even know if you could compare -- you can't
10 compare the story that I'm telling in Cold War Dixie,
11 or you have to be very careful if you are talking about
12 that area with, say, Charleston where you have a lot of
13 military spending. You have bases, very different type
14 of personnel, right? Not college educated. You know,
15 so I think -- I think specificity matters. I think the
16 type of Cold War complex we are talking about matters.
17 I think that the way it integrates into the community
18 matters.

19 But back to your point about racial
20 attitudes, I do think in a place like Aiken where that
21 community is -- honestly, it's overwhelmed by
22 outsiders, right? Who come with either Republican
23 politics, not as strong, you know, not strong racial

1 attitudes or whatever. And they also see themselves as
2 modern. They are problem solvers. They are
3 scientists, and modern communities do not kill little
4 children in churches.

5 And so I think what happens is that they do
6 have an impact on their community, right? But they
7 have an impact because there are so many of them, and
8 that's not the case in every -- in every place where we
9 have suburban growth. Right? I mean, these were
10 outsiders wholly coming in, right? And completely
11 transforming an area. Does that make sense?

12 Q. Yes, ma'am. Thank you. The next section in
13 your supplemental report entitled "Religiosity,
14 Abortion and Sexuality," page eight, the sentence
15 beginning a little above the middle of that paragraph,
16 "Race occupies a prominent place."

17 A. Uh-huh (yes).

18 Q. "Race occupies a prominent place in the history
19 of southern white evangelical Christians and their
20 particular world view. Furthermore, prominent
21 Christian leaders and politicians who opposed abortion
22 and gay rights, like Jerry Falwell, Sr., founder of the
23 organization Moral Majority, and Senator Jesse Helms of

1 North Carolina, had sustained records of opposing civil
2 rights advances, for example, slow-walking
3 desegregation at the University of North Carolina and
4 Bob Jones University's fight to maintain racially
5 discriminatory practices."

6 "The connection to race is found in the
7 broader conversation regarding rights, specifically the
8 rights demanded by women and the rights demanded by
9 LGBTQ+ individuals. The connection to race lies not
10 only in the actions of individuals like Falwell and
11 Helms, but in white evangelicals' particular conceptual
12 world."

13 Earlier in this deposition, I believe you
14 said that gay rights were not an issue at this time and
15 that, as a historian, you don't have an opinion about
16 whether being pro or against gay rights as a policy
17 position implicated racial -- implicated race.

18 A. I guess in that case, I am responding to his
19 inclusion, but I do not feel comfortable talking about
20 that iteration of sort of rights, you know, conflicts.

21 Q. Understood. So the very last three words or the
22 last four words that I read, "evangelicals' particular
23 conceptual world," five, "white evangelicals'

1 particular conceptual world," what do you mean by that
2 phrase?

3 A. So here, I am drawing on the work of Glenn
4 Feldman, Historian Glenn Feldman. Also I think Shields
5 and Maxwell in their book, "The Long Southern
6 Strategy," have a particularly interesting take on
7 white evangelicals and sort of tying -- you know, sort
8 of implicating race into these other -- these other
9 fights, for lack of a better word.

10 I think the particular world view is one
11 that is based on the patriarchal family in which there
12 is a sense of order with men as the head of the
13 household and women as secondary, for lack of a better
14 word.

15 I think there is a sense of order, right?
16 First, there was a sense of racial order in which --
17 and I think Shields and Maxwell do a pretty good job of
18 this, and Paul -- what is his last name? Paul Harvey,
19 also a historian of southern religion, you know, that
20 women, particularly white women, have an important role
21 to play in maintaining racial order, which is they are
22 the bearers of children and they are the protectors of
23 white supremacy.

1 And so this idea that sort of gender
2 relations, gender hierarchy is very much implicated in
3 racial hierarchy is kind of part of this evangelical
4 world view. And when racial hierarchy becomes
5 disturbed, according to these historians, right, the
6 next -- and when the women's rights movement begins,
7 right, that is -- you know, they very easily and
8 obviously, right? It's well documented, right? They
9 moved from, you know, that their racial fight is
10 basically over. They are not going to win that. They
11 may slow things down, right, but then the next place in
12 which the battle is going to be engaged is going to be
13 in gender roles, right? Particularly over issues like
14 abortion or the Equal Rights Amendment. Yeah.

15 Q. That's a lot to unpack there, and I will get to
16 that in bits.

17 A. Sorry.

18 Q. That's fine. One of the first things you
19 mentioned was the sense of order. And so is this
20 particular conceptual world of white evangelicals the
21 virtuous Christian society? Is that what you mentioned
22 on page nine?

23 A. I mean, I will say straight up that I'm not a

1 historian on religion. So I'm drawing on the
2 scholarship of others that I find to be compelling
3 because I think they do a good job of kind of showing
4 the -- you know, the weddedness of gender and race.
5 But I also think looking back, even if we are not
6 talking about evangelicals, I think, you know, gender
7 hierarchy and racial hierarchy, you can't disturb one
8 without disturbing the other, because particularly of
9 the role of white women in maintaining racial purity,
10 right? You can't have racial purity if you don't have
11 white women, right, just staying with white men. So
12 they had a critical role to play, but that role was one
13 in which they are under control. Right? Patriarchy is
14 not just a -- it does not just have a place for black
15 people, but it has a place for women as well.

16 Q. The last sentence of that partial paragraph at
17 the top of page nine, you write, "The imagined virtuous
18 Christian society was a patriarchal one of order based
19 on rigid and interlocking racial and gender hierarchies
20 in which white women and all black people were
21 subservient to white men." You just explained to me
22 that the role of white women in this society was to
23 maintain racial purity. Do you believe the white

1 evangelical conceptual world or this virtuous Christian
2 society is one of racial purity?

3 A. Now?

4 Q. Not now, but in the -- no later than in the
5 '90's.

6 A. I think -- no. I mean, I think what I'm talking
7 about here is a much earlier time, right?

8 Q. When was that?

9 A. You know, pre 1960's, right? So, no. I
10 wouldn't say that -- but what I am saying is that these
11 two movements, both to opposition to the women's rights
12 movement and the opposition to civil rights movement,
13 are not disconnected because at one time they were
14 integral.

15 Q. Okay. The last paragraph on page nine beginning
16 "Conservative Christians."

17 A. Yes.

18 Q. "Conservative Christians found their next fight
19 in the expanding women's liberation movement, which
20 involved not only the right to terminate a pregnancy
21 but also the fight for the Equal Rights Amendment
22 (ERA), antifeminists, especially those who considered
23 themselves part of the Christian Right, labeled ERA

1 supporters and pro-choice activists as anti-family and
2 worse."

3 And then the last partial sentence on page
4 nine that goes on to page ten reads, "Religious
5 conservatives lost much of the traditional theological
6 undergirding for their race politics, but they found
7 new inspiration in the defense of traditional gender
8 roles. In the process, the conservatives jettisoned
9 the familiar arguments for racial hierarchy, replacing
10 these now-discredited views with a renewed and updated
11 defense of gendered hierarchies." Essentially what you
12 just explained to me --

13 A. Uh-huh (yes).

14 Q. -- a moment ago. Who were you referring to or
15 what do you mean by conservative Christian, Christian
16 right and religious conservative?

17 A. Mostly talking about those organizations that
18 became active in the late 1970's, early 19 -- into the
19 1980's, for example, Moral Majority and also the
20 Christian Coalition. I'm specifically thinking about
21 these organizations that became politicized, right?

22 Q. So religious conservative, which is the term you
23 used at the very bottom of page nine, is that also

1 thinking of these organizations that became politicized
2 or is that more broadly just people who are religious
3 who are also conservative?

4 A. No. I mean -- well, I think when I was writing
5 this, I was thinking more of why politically engaged
6 organizations acting -- right? Trying to curry
7 influence within the political arena in a way that they
8 had never done before.

9 Q. Can you go back to A New History of the American
10 South, which is exhibit -- is that six?

11 A. Okay.

12 Q. I am on -- go about three pages from the back to
13 figure 12.5, which is Strom Thurmond.

14 A. Uh-huh (yes).

15 Q. So then go back one page previously.

16 A. Yes. The support?

17 Q. "The support," and one page even previous to
18 that.

19 THE WITNESS: Could we maybe take a
20 ten-minute break?

21 (Recess taken.)

22 Q. (BY MR. GEIGER) Did I read anything yet?

23 A. No, sorry. I disrupted us.

1 Q. That's fine. So beginning of the last
2 paragraph, "Republican prospects."

3 A. I'm sorry. Where? Yes.

4 Q. "Republican prospects in the region began to
5 change with the development of two phenomena. The
6 first was the rise of the Christian right and its
7 political mobilization of conservative Christian
8 voters. The so-called Rights Revolution, which drew
9 inspiration and power from the civil rights revolution,
10 prompted a political backlash. In the 1960's and
11 1970's, the Supreme Court handed down decisions that
12 banned organized school prayer, protected the rights of
13 accused persons, and most important in this context,
14 protected a women's right to seek an abortion." And
15 then the first sentence of the next paragraph. "The
16 support of politically energized evangelicals was
17 critical to the election of Republican presidential
18 candidate Ronald Reagan in 1980." Why do you write
19 that most important in this context was the protection
20 of a women's right to seek an abortion?

21 A. You are asking me about that phrase in
22 particular?

23 Q. Why was that issue of the hierarchy of issues at

1 the top in terms of Republican prospects to begin a
2 major change?

3 A. For the purposes of this article, because I
4 think -- I think it's not merely the existence of
5 abortion, because women have been having abortions as
6 long as women have been having children. And that's
7 true in Alabama and across the South. I think what is
8 different here -- and I believe this is the points I
9 was making -- is that women are now claiming it as a
10 right to be protected.

11 Q. So because they were claiming it as a right to
12 be protected, it fell under that larger umbrella of the
13 rights revolution and when it was opposed and that that
14 opposition brought with it baggage?

15 A. I would say so. And not only a right to be
16 protected, but one -- this didn't come to pass, but in
17 the case of poor women, a right that should be
18 supported. It shouldn't just be a negative right where
19 you don't get prosecuted for having -- for terminating
20 your pregnancy, but actually you can -- it's something
21 that could be supported with federal funds. Of course,
22 you know, that's not the case and never was the case
23 really.

1 And I think the reason that becomes such a
2 flash point, you know, as opposed -- like I said,
3 abortion has been around. Why is it that these groups
4 become energized around that issue in particular that
5 hadn't really concerned Protestants in particular? It
6 was a Catholic issue, and they didn't want to -- you
7 know, they don't want to coalesce with Catholics.
8 That's not a thing that Protestants or Catholics
9 wanted, but it does become an issue. And I think it's
10 because it becomes a right, and it's a right that women
11 demand. It's a right that they are seeking to be
12 protected and supported, and because of that, it's
13 viewed then as a rejection of motherhood. Right? It
14 threatens women's traditional role in the minds of some
15 people, not everybody, right? But it throws into
16 question what it means to be a woman, and if you are
17 rejecting motherhood and you are essentially rejecting
18 the essential part of being a woman, then what does
19 that mean for men? Right? I think the right of women,
20 the demand of women to have protections to terminate
21 their pregnancy ultimately also throws into question
22 what does it mean to be a man and what is their role,
23 right? Because those gender -- you know, one doesn't

1 exist without the other.

2 Q. You mentioned this next point already in one of
3 your answers to me, but I will just read what you wrote
4 again. Again, at the bottom of page 9, going on to
5 page 10. "Religious conservatives lost much of the
6 traditional theological" --

7 A. I'm sorry. These pages aren't numbered so where
8 are we?

9 Q. I should have directed you back to your
10 supplemental report.

11 A. My supplemental report?

12 Q. Yes.

13 A. Exhibit 2? Okay.

14 Q. Page nine.

15 A. I'm sorry. I'm new at this.

16 Q. That was my fault.

17 A. Okay.

18 Q. "Religious conservatives lost much of the
19 traditional theological undergirding for their race
20 politics, but they found new inspiration in the defense
21 of traditional gender roles. In the process, the
22 conservatives jettisoned the familiar arguments for
23 racial hierarchy, replacing these now-discredited views

1 with a renewed and updated defense of gender
2 hierarchies." Did gender issues replace racial issues
3 in the South?

4 A. Again, I would say that they -- they are not
5 wholly divorced. But as defense of segregation and
6 racial separation, you know, by the late 1970's, right,
7 not many people are making those arguments and, you
8 know, going on to successful careers.

9 I think as far as replacing, I think it's
10 -- I mean, you could say replacing. I think it's when
11 one is threatened, I think the other becomes
12 threatened. Was it inevitable? Maybe. You know, the
13 women's rights movement draws its energy, its ideas,
14 its claims from the Civil Rights Movement because women
15 see themselves as an oppressed group. They are
16 claiming rights through the same types of
17 organizations, the courts and what have you. I think
18 it makes sense that groups and people who had fought
19 against racial quality, you know, this becomes the new
20 terrain because it's just a slightly shifting terrain.
21 And again, because it threatens order and stability.

22 Q. The very last quotation of your supplemental
23 report is from David Hughes again, writing "the

1 politics of race are never far from the surface." Is
2 there any way to not really quantify, but as a
3 historian, understand how far they are from the
4 surface?

5 A. I think it depends on the issue.

6 Q. So the one we have just been speaking about with
7 the gender issue.

8 A. Yeah.

9 Q. By the 1990's, has race submerged below the
10 surface pretty far?

11 A. For that particular issue?

12 Q. Yeah.

13 A. Say for the particular of abortion or --

14 Q. These family values, what you describe as family
15 value issues, yeah.

16 A. I don't think it is as overt as maybe education
17 issues or spending issues. I don't think it's
18 completely gone, but I think in terms of where race
19 stands vis-a-vis women's right to terminate a
20 pregnancy, yes. I think it's probably further
21 attenuated than some other issues. So it's below the
22 surface, probably further below the surface than some
23 other categories of issues.

1 Q. But although it's still kind of lurking below
2 the surface somewhere, a Republican candidate who is
3 putting himself out there as a pro-life candidate, do
4 you think he is still consciously calling upon implicit
5 racial appeals when he is saying "vote for me because
6 I" --

7 A. I doubt it. It doesn't mean that they are not
8 implicitly there, but I think someone could -- I think
9 someone could be anti-choice and, you know, believe in
10 civil rights. I guess what I'm saying is that the
11 adoption of this particular position by the Republican
12 Party comes at a particular time in a particular form
13 pushed by a particular group of messengers that makes
14 that connection pretty clear. What I'm not saying is
15 that an individual religious person or perhaps even
16 candidate, although I think the candidate should know
17 better or would know better and would know the history,
18 maybe they themselves are -- you know, don't have a
19 racist bone in their body, right? Or even -- it
20 doesn't even come to the surface. Two things can still
21 be true, right?

22 But the issue for other voters or as a
23 political issue still has those racial echos. I don't

1 think you can get away from that. Those echos became
2 faint, right? More faint probably with that issue than
3 again education or something else where they sometimes
4 are quite overt. Doesn't mean they are not still
5 there.

6 Q. Can we ever get away from those echos?

7 MR. BLACKSHER: Object to the form.

8 A. I hope so.

9 Q. (BY MR. GEIGER) Do you think as a historian 70
10 years from now looking backward, there could be
11 evidence in the historical record to demonstrate, yes,
12 race no longer lies beneath the surface of some of
13 these issues where it once did?

14 A. Anything is possible. I mean, I would like to
15 think that that could be the case. I think over time
16 that race can become less of a flash point, but I think
17 it's incredibly challenging. I think it is the
18 original sin of the country that we are still battling
19 with to a greater or lesser degree.

20 Q. Is there any issue right now that you can think
21 of where race has essentially been removed from -- even
22 implicitly removed from the discussion?

23 A. Not off the top of my head, and I don't say that

1 with any particular pleasure.

2 Q. Yeah. Do you express any opinion that
3 Republican politicians during the era you have studied
4 were using these implicit racial appeals as you
5 identify, that those appeals were actually picked up on
6 by voters? I know we discussed some voter behavior and
7 how you are not expressing an opinion on that but --

8 A. I do. I think when -- and again, I think we
9 have to be really careful about when we are talking
10 about and what we are talking about. But I think when
11 someone in the 1980's uses the term "state's rights,"
12 that's has racial implications, very strong ones, that
13 I think a white voter would know exactly -- maybe not
14 exactly what they are talking about, but it would mean
15 -- it would have a certain set of meanings for them.
16 But also as I pointed out in my report, I mean,
17 sometimes these connections to race were made
18 explicitly, when someone says "I'm joining the white
19 party." Hard to get less explicit than that. Now
20 that's not everyone. That was that one guy, but, you
21 know, the adoption of cultural symbols of the
22 Confederacy by an organization that at one point had
23 been anathema to white voters, which is the Republican

1 Party, that has certain meaning. When a certain
2 organization defends, you know, preservation of
3 monuments to the Confederacy, that can -- that will be
4 read a certain way by different people.

5 Q. Do you intend to express any opinion in this
6 case on why white voters vote the way they do?

7 A. No.

8 MR. GEIGER: I think I'm done with my
9 questions. I will give anyone else who is on the Zoom
10 call a chance to offer questions, if there are any.

11 MR. BLACKSHER: I have a few questions.

12 MS. LANCASTER: No questions for me.

13

14 EXAMINATION BY MR. BLACKSHER:

15 Q. Dr. Frederickson, we have been referring to your
16 political scientist David Hughes who writes that the
17 politics and race are never far from the surface.

18 A. Uh-huh (yes).

19 Q. And you drop in the footnote the article which
20 you are quoting. It's actually a chapter in a book.
21 Did I ask you to send me a copy of that David Hughes
22 article?

23 A. Yes.

1 Q. All right. I'm going to mark it.

2 (Plaintiff's Exhibit P1 was marked for
3 identification.)

4 Q. (BY MR. BLACKSHER) This is Plaintiff's 1 then?
5 Is that the way do you it? Okay. Plaintiff's 1, so if
6 you will turn to page 284, I think this is where your
7 quote is coming from.

8 MR. BLACKSHER: By the way, for the record,
9 the highlights are mine. The pencil or pen marks are
10 Professor Frederickson's.

11 Q. I have highlighted the phrase, "Overt racism is
12 no longer a viable campaign strategy in Alabama
13 politics. Nevertheless, the politics of race, which
14 dominated state life for generations are never far from
15 the surface." Was this the place that you were --

16 A. Yeah, uh-huh (yes).

17 Q. "Over time, conservative whites, especially
18 white evangelicals, gravitated toward new political
19 issues that similarly otherwise vulnerable minorities,
20 including women and sexual minorities." Otherwise
21 sounds like one of those academic words?

22 A. Yeah.

23 Q. But that's where you --

1 A. Also women are not a minority.

2 Q. That's where you got the quote from, I take it?

3 A. Yes.

4 Q. On page 285, Hughes goes on to say at the top,
5 "Consequently whites identify politics, specifically
6 new evangelical politics, continue to dominate Alabama
7 as voters and legislators push new policies that
8 glorify symbols of the Confederacy, restrict women's
9 access to abortion, and limit the rights and liberties
10 of sexual minorities." Is that consistent with your
11 opinions?

12 A. Well, I mean, he is talking about the modern
13 era. So I would say I believe that is true for the era
14 in which I feel, you know, more comfortable, which is
15 up until the latter part of the 20th century.

16 Q. And if you will turn -- that's right. He is a
17 political scientist, which gives him license to talk
18 about today; is that right?

19 A. He does, yes. And I think this is a pretty --
20 this is a pretty recent -- yeah, 2021. So --

21 Q. And back on page 287, I have highlighted one of
22 his sources, which is Trey Hood's book, "The Rational
23 Southerner." Trey is one of the -- Trey Hood is one of

1 the Alabama attorney general's expert witnesses.

2 A. Uh-huh (yes).

3 Q. Although he was not asked to testify on this
4 subject. And an excerpt from his book is an attachment
5 as an exhibit to the Carrington deposition. Just to
6 make a point, let me make this Exhibit P2.

7 (Plaintiff's Exhibit P2 was marked for
8 identification.)

9 Q. (BY MR. BLACKSHER) The Rational Southerner,
10 there is a title page, and then I copied one page out
11 of it. The highlights are in the exhibit attached to
12 Carrington's deposition, but let me read it since we
13 are in the business of reading long passages. On page
14 181, Professor Hood says, "We also found that
15 mobilization of the African-American electorate has a
16 substantial effect on GOP growth in the face of
17 controls for other traditional explanations; such as,
18 income growth, in-migration and evangelicalism. Simply
19 put, we found as the theory of relative advantage
20 predicted, that the growth of Southern Republicanism
21 was primarily" -- in italics -- "driven by racial
22 dynamics, not class, demographic factors or religion as
23 others have suggested." And to skip down to the next

1 paragraph, "Much of the recent research on southern
2 politics" -- and he cites Lublin and Shafer and
3 Johnson, which are sources that Professor Carrington
4 refers to in his expert report. He says, "Much of the
5 recent research are prominent" -- and he cites
6 prominent examples -- "argues that the role of race in
7 modern southern politics has been overemphasized and
8 that the key to understanding the postwar partisan
9 transformation in the South is class conflict driven by
10 economic growth. We are not arguing that the economic
11 transformation of the South did not play a role in the
12 development of the Republican Party in the region, but
13 it is not the key aspect of or the primary mover behind
14 the growth of the southern wing of the GOP. To
15 understand the temporal and spatial dynamics of GOP
16 growth in the region, we would argue that one must
17 understand the politics of race. Stated succinctly,
18 the partisan and political transformation of the South
19 over the past half century has, most centrally,
20 revolved around the issue of race." Does that
21 correspond with your report insofar as it goes through
22 the period of time you have expertise in?

23 A. It does. And I like the fact that he -- you

1 know, he doesn't discount economic change. Right? It
2 does play a role. But yes, I would agree with this.

3 MR. BLACKSHER: Those are all my questions.
4 Anyone else in the video world have any questions?

5

6 (Deposition concluded at 3:00 p.m.)

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C E R T I F I C A T E

STATE OF ALABAMA)

JEFFERSON COUNTY)

I hereby certify that the above and foregoing proceeding was taken down by me by stenographic means, and that the questions and answers therein were produced in transcript form by computer aid under my supervision, and that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings occurring on said date at said time.

I further certify that I am neither of counsel nor of kin to the parties to the action; nor am I in anywise interested in the result of said case.

Signed the 9th day of September, 2024.

A handwritten signature in cursive script, reading "Anne E. Miller", is written over a horizontal line.

ACCR #486

Expires 9/30/24

My commission expires 11/19/27

[& - 2013]

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